

EXHIBIT 3



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Transcript of SGT. James Ciukaj, Jr.

Date: March 21, 2017

Case: Bolton -v- The Sheriff of Cook County, et al.

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

1 (1 to 4)

<p>1 IN THE UNITED STATES DISTRICT COURT FOR THE 2 NORTHERN DISTRICT OF ILLINOIS 3 EASTERN DIVISION</p> <p>4 LITROY BOLTON,) 5 Plaintiff,) 6 v.) No. 16-cv-5012</p> <p>7 THE SHERIFF OF COOK COUNTY,) Hon. Judge 8 individually and in his official) Ronald A. Guzman 9 capacity; COOK COUNTY; DR. NNEKA) 10 JONES TAPIA, individually and in) Hon. Mag. Judge 11 her official capacity as) Maria Valdez 12 Executive Director of the Cook) 13 County Department of Corrections;) 14 SGT. JAMES CIUKAJ; Correctional) 15 Officers MIGUEL ORTIZ, RODRIGO) 16 RAMOS, CODY LETTIERE,) 17 CHRISTOPHER IVORY and UNKNOWN) 18 EMPLOYEES OF COOK COUNTY JAIL;) 19 Internal Affairs Investigator) 20 JULIAN DIAZ; Internal Affairs) 21 Investigator ESTHER MONTANEZ;) 22 UNKNOWN EMPLOYEES OF COOK) 23 COUNTY; UNKNOWN EMPLOYEES OF) 24 THE OFFICE OF PROFESSIONAL) REVIEW OF THE COOK COUNTY)</p> <p>16 SHERIFF'S OFFICE,) 17 Defendants.)</p> <p>18 The deposition of SGT. JAMES CIUKAJ, JR., 19 taken before David J. Demski, Certified Shorthand 20 Reporter, and Notary Public, pursuant to the 21 provisions of the Rules of Civil Procedure of the 22 State of Illinois and the Rules of the Supreme Court 23 thereof, pertaining to the taking of depositions 24 for the purpose of discovery, at the Law Offices of Loevy & Loevy, 311 North Aberdeen Street, Chicago, Illinois, at 2:00 p.m. on Tuesday, March 21, 2017.</p>	<p>1 I N D E X</p> <p>2 WITNESS PAGE</p> <p>3 SGT. JAMES CIUKAJ, JR.</p> <p>4 Examination by Mr. Field 4 5 Examination by Mr. Coyne 97 6 Reexamination by Mr. Field 100</p> <p>7 E X H I B I T S 8 (None Offered)</p>
<p>1 APPEARANCES:</p> <p>2 LOEVY & LOEVY</p> <p>3 BY: MR. VINCENZO FIELD</p> <p>4 311 North Aberdeen Street</p> <p>5 Chicago, Illinois 60607</p> <p>6 (312)243-5900</p> <p>7 E-mail: vince@loevy.com</p> <p>8 Appearing on behalf of the Plaintiff</p> <p>9</p> <p>10 LAW OFFICES OF JOHN C. COYNE</p> <p>11 BY: MR. JOHN C. COYNE</p> <p>12 53 West Jackson Boulevard</p> <p>13 Chicago, Illinois 60604</p> <p>14 (312)583-9500</p> <p>15 E-mail: jcc@johncoynelaw.com</p> <p>16 Appearing on behalf of the Defendants</p> <p>17</p> <p>18 COOK COUNTY STATE'S ATTORNEY</p> <p>19 BY: MS. MEGAN MCGRATH</p> <p>20 500 Richard J. Daley Center</p> <p>21 Chicago, Illinois 60601</p> <p>22 (312)603-5967</p> <p>23 E-mail: meganmcgrath@cookcountyil.gov</p> <p>24 Appearing on behalf of the Defendants</p>	<p>1 SGT. JAMES CIUKAJ, JR.</p> <p>2 having been first duly sworn by the court reporter, 3 was examined and testified on his oath as follows:</p> <p>4 EXAMINATION</p> <p>5 BY MR. FIELD:</p> <p>6 Q Sergeant, can you please state and spell 7 your full name, for the record?</p> <p>8 A James A. Ciukaj, C-i-u-k-a-j, Jr.</p> <p>9 Q Have you been deposed before?</p> <p>10 A Yes.</p> <p>11 Q How many times have you been deposed 12 before?</p> <p>13 A At least twice.</p> <p>14 Q When was the last time previous to today?</p> <p>15 A A couple years.</p> <p>16 Q Was it in relation to your work at the 17 Cook County Jail?</p> <p>18 A I'm trying to remember. I work for 19 another police department so it was probably for 20 that. No, I've not been -- anything here at Cook 21 County Jail.</p> <p>22 Q I know you said you've been deposed a 23 couple times before. I'll just go over the basic 24 ground rules so we can get through this as quickly</p>

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2 (5 to 8)

<p>1 and efficiently as possible. If you need a break 2 at any time, just let me know and we can take a 3 break. I'll just ask that you would answer any 4 pending question before we take that break. I'm 5 going to assume that you understand my questions if 6 you answer them. So, please, if I ask a question 7 that doesn't make sense or you're not exactly sure 8 what it is that I'm asking you, please just let me 9 know and I'll rephrase it or try to explain it. 10 For the sake of the court reporter, if you can give 11 verbal oral answers, rather than sort of nodding 12 your head or saying uh-huh, or that kind of thing, 13 again just so the court reporter get down all of 14 your testimony. And I'll just ask that you let me 15 finish asking a question before you start answering 16 it and I will do the same thing, I won't ask a 17 question until you're finished answering. Again, 18 just so the court reporter can get everything that 19 we say down here today. Does all that make sense 20 to you? 21 A Yes. 22 Q You're currently employed at Cook County 23 Jail, is that correct? 24 A That's correct.</p>	<p>1 Q As you sit here today, you believe that 2 that was related to your work at a different police 3 department and not with Cook County? 4 A That's correct. 5 Q It would have been before the time that 6 you became a corrections officer at Cook County 7 Jail? 8 A Not that long ago. 9 Q Was there any period of time when you 10 worked full time as a corrections officer at Cook 11 County Jail that you also worked for a different 12 jail or police department? 13 A Another police department. Yes, sir. 14 Q When was that? 15 A From 1993 to 2011. 16 Q What was your position? 17 A Part-time sergeant. 18 Q Where was that? 19 A Village of Crestwood. 20 Q As a -- Village of Crestwood police 21 department? 22 A Yes. 23 Q What were your hours as a part-time 24 sergeant?</p>
<p>1 Q What is your position? 2 A Correctional sergeant. 3 Q How long have you been in that position? 4 A Since August of 2011. 5 Q Previous to that were you employed at 6 Cook County Jail? 7 A Yes, I was. 8 Q What was your position? 9 A Correctional officer. 10 Q How long were a correctional officer at 11 Cook County Jail before you became a sergeant? 12 A Thirteen years. From -- I believe it's 13 13 years. From 1998 until 2011. 14 Q Was that full time? 15 A Yes. 16 Q Same thing in the period of time that you 17 served as a sergeant, was that full time? 18 A Yes. 19 Q A minute ago you talked about doing a 20 deposition in another case, maybe a couple of years 21 ago? 22 A Over five years ago. Correct. 23 Q Over five years ago? 24 A Yes.</p>	<p>1 A They varied. So, two to three days a 2 week, eight hours, days. 3 Q What are your hours or what were your 4 hours as a corrections officer at Cook County Jail? 5 A Again varies, depending on with bids and 6 stuff. It's eight-hour shifts, five days a week. 7 Q What shift were you on during the period 8 of time that you served as a corrections officer at 9 Cook County Jail? 10 A I've been on all three shifts. I've been 11 on days, afternoons, and midnights, so it varies. 12 Q During the period of time that you worked 13 both as corrections officer and as a part-time 14 sergeant for the Village of Crestwood, were there 15 any days where you did both of those jobs in the 16 same day? 17 A Yes. 18 Q So those would have been days that you 19 worked something approximating 16 hours? 20 A Yes. 21 Q How often would you say that occurred? 22 A One to two days a week. 23 Q Before you were a corrections officer at 24 Cook County Jail, have you served in any other</p>

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3 (9 to 12)

<p>9</p> <p>1 capacity at the jail?</p> <p>2 A No.</p> <p>3 Q I'm going to ask you some questions about</p> <p>4 where a sergeant falls within the chain of command.</p> <p>5 Who is your immediate supervisor?</p> <p>6 A It would be the lieutenant.</p> <p>7 Q Who reports directly to you as sergeant?</p> <p>8 A The officers that I would be in charge of.</p> <p>9 Q So it would be COs or corrections</p> <p>10 officers, correct?</p> <p>11 A Yes.</p> <p>12 Q Any other position that would report</p> <p>13 directly to the sergeant?</p> <p>14 A No.</p> <p>15 Q Does the lieutenant that you report to</p> <p>16 change depending on your assignment or are you</p> <p>17 always reporting to the same person?</p> <p>18 A Depends on the assignment.</p> <p>19 Q Let's go quickly through your educational</p> <p>20 background. We can do this however you want. You</p> <p>21 can just sort of list high school and everything</p> <p>22 beyond or I can go one by one. If you just want to</p> <p>23 describe it, that's fine too?</p> <p>24 A How do you mean? You want me to --</p>	<p>11</p> <p>1 obtained in that way?</p> <p>2 A I think I'm up to 46 college credit hours.</p> <p>3 Q If you obtain a certain number of</p> <p>4 credits, are you able to obtain a college degree?</p> <p>5 A Yes.</p> <p>6 Q How many credits is that, do you know?</p> <p>7 A Sixty.</p> <p>8 Q As a sergeant is there an ongoing</p> <p>9 training requirement?</p> <p>10 A We have mandatory training, yearly</p> <p>11 training.</p> <p>12 Q What does that consist of?</p> <p>13 A It's a one week training that consists</p> <p>14 of mandated training that they impose on us, CPR,</p> <p>15 firearms, qualification, use of force, sexual</p> <p>16 harassment.</p> <p>17 Q So the use of force is part of this</p> <p>18 mandatory yearly training?</p> <p>19 A Yes.</p> <p>20 Q What does the use of force training</p> <p>21 consist of?</p> <p>22 A Reporting procedures, identifying what</p> <p>23 type of subjects that you're encountering, as well</p> <p>24 as officer response to those subjects.</p>
<p>10</p> <p>1 Q Where did you go to high school? Let's</p> <p>2 start with that.</p> <p>3 A I went to St. Rita High School.</p> <p>4 Q You graduated from St. Rita?</p> <p>5 A Yes.</p> <p>6 Q What year was that?</p> <p>7 A 1989.</p> <p>8 Q And after high school do you have any --</p> <p>9 A I have some college.</p> <p>10 Q Where did you go to college?</p> <p>11 A University of Illinois Circle Campus and</p> <p>12 then, from there, just whatever the academy gave me.</p> <p>13 Q How much time did you spend at the</p> <p>14 University of Illinois?</p> <p>15 A One semester.</p> <p>16 Q What were you studying?</p> <p>17 A Just general.</p> <p>18 Q What year was that?</p> <p>19 A In '89.</p> <p>20 Q When you say whatever the academy gave</p> <p>21 you, what do you mean by that?</p> <p>22 A You get college credits for going to the</p> <p>23 academy so --</p> <p>24 Q How many college credits have you</p>	<p>12</p> <p>1 Q When you say identifying what type of</p> <p>2 subjects you're encountering, what do you mean by</p> <p>3 that?</p> <p>4 A Whether they're cooperative, resistive, or</p> <p>5 assail. Three subjects identified through our use</p> <p>6 of force policy.</p> <p>7 Q Can you describe for me what each of</p> <p>8 those categories refers to? So we can start with</p> <p>9 cooperative. What is a cooperative --</p> <p>10 A Cooperative is either by presence or a</p> <p>11 verbal command, the person does as expected or told</p> <p>12 to do. So, they -- if they're doing something, they</p> <p>13 see the officer in uniform, they stop doing what</p> <p>14 they're doing. You ask them to turn around and put</p> <p>15 their hands behind their back, they comply without</p> <p>16 any type of problems.</p> <p>17 Q How about the second category, did you</p> <p>18 say it was resistive?</p> <p>19 A Resister.</p> <p>20 Q Resister, okay. Go ahead.</p> <p>21 A So with the resister you have the one that</p> <p>22 doesn't move to verbal commands, to whereas they</p> <p>23 basically become stiff, deadweight. If you attempt</p> <p>24 to escort them they just don't go with you. They</p>

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4 (13 to 16)

<p>13</p> <p>1 don't pull away. It's almost like your protester. 2 The second part of the resister is your moving 3 resister. When you attempt to obtain control of the 4 subject they move away. It could be a simple move 5 away to full flight. So those are your two 6 resisters. 7 Q What about the next category? 8 A Okay. Assailant is broken down into three 9 categories. A low-level assailant which would be 10 somebody who possibly can cause you harm, fighting 11 stance, boxer stance, threatening demeanor, 12 thousand-yard stare. Midlevel assailant is they're 13 actually going to attack you or are attacking you. 14 And, then, the third level would be the deadly force 15 assailant which is usually armed with a weapon. 16 Q For the cooperating individual are 17 there -- is there any subcategories within that? 18 A No. 19 Q It's just the resister and the assailant 20 that have subcategories? 21 A That's correct. 22 Q In the subcategories that you discussed 23 for the assailant, you mentioned about the types of 24 harm that they may cause, is that correct? Each</p>	<p>15</p> <p>1 appropriate response for that type of individual? 2 A Yes. 3 Q As part of the use of force annual 4 training? 5 A Yes. 6 Q What's the appropriate response for the 7 cooperating individual? 8 A Would be verbal commands and officer 9 presence, so those are your responses. So 10 cooperative handcuffing, escorting the person to 11 where they need to go without resistance. So those 12 are pretty much for a cooperative person. 13 Q Just so the record is clear. When you 14 say cooperative handcuffing, you mean if you tell 15 the person you're going to handcuff them and they 16 give up their hands and allow you to put the cuffs 17 on, is that a fair description? 18 A Yes. 19 Q What about for the resister? What's the 20 appropriate response for -- you can go through each 21 of those subcategories if you want? 22 A It varies because we have a model that we 23 use. So it depends on where the person's at and 24 it's kind of a shaded area of what our response is.</p>
<p>14</p> <p>1 one is sort of characterized by the level of harm 2 that person may cause to the officer? 3 A Well, it can be -- on any type of 4 assailant so -- but a low-level assailant is a 5 person who's taking a fighting stance. So I never 6 said there was any harm with that one, but there's 7 a potential of harm. 8 Q I'm sorry if I've phrased it incorrectly. 9 That's what I meant, there was a potential for 10 harm? 11 A Right. 12 Q What about in the resister category, is 13 there -- is it characterized as well by a potential 14 for harm? 15 A Yes. 16 Q What are -- how are those categories 17 described in terms of the potential for harm? 18 A Any time you have to put your hands on an 19 individual, there's always a risk of something going 20 wrong, somebody getting hurt. So there's always 21 going to be that likelihood of an injury, either to 22 the subject and or to the officer. 23 Q Now, for each of these different types of 24 individuals, are you trained about what is the</p>	<p>16</p> <p>1 So we can use escort holds, pressures sensitive 2 areas which is pressure points, joint manipulation, 3 OC spray, and taser. 4 Q OC spray, is that pepper spray? 5 A Yes, it is. 6 Q Are there -- well, let me ask it this 7 way. Are there types of responses that are never 8 appropriate in the resister category? 9 A Yeah. The -- for a resister you wouldn't 10 do a closed fist punch. 11 Q Any other types of response? 12 A Yes. There would be no blunt impact to 13 the head, no kicking. So anything direct mechanical 14 so -- you know, that you would you actually 15 physically punch somebody or physically kick them, 16 that would not be an appropriate response to a 17 resister. 18 Q That's the type of response that would be 19 saved for an assailant of some type? 20 A That's correct. 21 Q I meant to ask you this at the beginning. 22 Did you review any documents in preparation for 23 your deposition today? 24 A I briefly looked at them last week.</p>

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5 (17 to 20)

<p>17</p> <p>1 Q What documents did you review in 2 preparation?</p> <p>3 A Just the use of force reports.</p> <p>4 Q When you say the use of force reports, do 5 you mean the use of force reports related to the 6 incident that's at issue in this case?</p> <p>7 A Yes.</p> <p>8 Q The incident involving Mr. Bolton and 9 Officer Ortiz?</p> <p>10 A Yes.</p> <p>11 Q Any other documents that you reviewed in 12 preparation for today?</p> <p>13 A No, not that I can recall.</p> <p>14 Q Did you review any of the Cook County 15 Sheriff Department's policies or procedures in 16 preparation for today?</p> <p>17 A No, I did not.</p> <p>18 Q Is there a requirement -- I know we were 19 talking about annual training. Is there a 20 requirement to review Cook County Sheriff 21 Department policies and procedures? Is there, 22 like, an annual requirement for reviewing policies 23 or anything like that?</p> <p>24 A No. Just when they're issued out</p>	<p>19</p> <p>1 County Sheriff's Department have a written policy 2 on filling out use of force reports?</p> <p>3 A Yes. It's all underneath the actual use 4 of force order, yes.</p> <p>5 Q That use of force order contains 6 information on how to properly fill out a use of 7 force report?</p> <p>8 A You have to identify the use of force 9 itself, what the person did in response to your 10 actions.</p> <p>11 Q It's probably -- I'm probably asking the 12 question vaguely. I'm asking a slightly different 13 question. I want to know if information on how to 14 properly fill out a use of force report is 15 contained in this policy that we're talking about, 16 the use of force policy. Does it contain 17 information that basically describes how you should 18 fill out that form?</p> <p>19 A I'd have to look at the policy because I'm 20 not 100-percent sure.</p> <p>21 Q If it is in that policy, that would be 22 something that you reviewed during this annual 23 training?</p> <p>24 A If it was in a policy, yes.</p>
<p>18</p> <p>1 to -- you know, when new policies are issued it's 2 our responsibility to look at them on our own.</p> <p>3 Q How are staff members at the jail made 4 aware of a new policy being issued?</p> <p>5 A Under current status, it's under -- by 6 e-mail.</p> <p>7 Q As part of the annual training do you 8 review the department's use of force policies?</p> <p>9 A Yes.</p> <p>10 Q Are you required to sign off on the 11 review of those policies during the annual 12 training?</p> <p>13 A Yes. There is an acknowledgment form for 14 the use of force.</p> <p>15 Q You mentioned that you -- when we were 16 talking about the annual training, that there's 17 also training on filling out use of force reports, 18 is that correct?</p> <p>19 A Well, it's part of the actual use of force 20 training itself, so there's a brief block on it.</p> <p>21 Q What does that training consist of?</p> <p>22 A Honestly, I don't remember in 23 regards -- in regards to that question.</p> <p>24 Q Let me ask it this way. Does the Cook</p>	<p>20</p> <p>1 Q What is the -- I just mean generally 2 speaking here, not in relation to any particular 3 incident. What is the purpose of the use of force 4 report?</p> <p>5 A It is to identify the person's 6 participation in a situation, where they have to 7 actually go hands down with an individual.</p> <p>8 Q When they have to go hands what? I'm 9 sorry, I didn't --</p> <p>10 A Hands on with an individual.</p> <p>11 Q So any time that that occurs at the jail, 12 the corrections officer or whatever staff member is 13 required to fill out a use of force report, is that 14 correct?</p> <p>15 A For their participation, yes. For 16 their -- or what they've done in regards to it. So 17 if somebody didn't see something that happened or 18 wasn't involved in that incident, they would only 19 write the report and what their actions were.</p> <p>20 Q Okay. So I'll give an example and just 21 so -- I want to make sure that I understand. If a 22 corrections officer has to take an inmate to the 23 ground in order to handcuff that individual and 24 while he's on the ground handcuffing him another</p>

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6 (21 to 24)

<p>21</p> <p>1 corrections officer walks around the corner and 2 sees them on the ground getting handcuffed. That 3 second corrections officer, his report would only 4 be about what he witnessed which is the 5 on-the-ground handcuffing, is that right? 6 A The second officer would only be writing a 7 witness statement because he was not involved in the 8 use of force so -- 9 Q That's a different form, correct? 10 A That's correct. 11 Q What about if the second officer came 12 around the corner after they've already gone to the 13 ground and then assisted that first officer in 14 handcuffing the individual, what would the second 15 officer's report have to be -- have to report on? 16 A He would have to put in there that 17 he -- that he came across the situation and that he 18 assisted in whatever. If he grabbed a left arm, 19 helped apply the handcuffs, whatever that person 20 actually did. 21 Q If he witnessed the inmate sort of 22 flailing around on the ground while they were 23 trying to handcuff him, would that go into the use 24 of force report?</p>	<p>23</p> <p>1 A Yes, there is. 2 Q What is the policy or practice on filling 3 out a use of force report out? 4 A Normally it's done before the end of your 5 shift, if at all practical. 6 Q What other kinds of -- well, strike that. 7 When you say by the end of your shift, if it's at 8 all practicable, you mean it would be done the same 9 day, correct? 10 A Yes. 11 Q That's the policy, as long as it's 12 possible to do it the same day, it should be done 13 the same day? 14 A Yes. 15 Q Where are the use of force reports, like 16 the blank forms, where are those kept? 17 A Usually in the office. They're already 18 stapled into a packet. 19 Q So a corrections officer would have to go 20 to the office to get one of these forms to fill 21 out, is that correct? 22 A Back then, yes. Now everything's done on 23 a computer. It's a whole new system. 24 Q When you say back then, are you referring</p>
<p>22</p> <p>1 A It should, yes. 2 Q And if he witnessed the first corrections 3 officer punching the inmate as he was flailing 4 around on the ground, would that information have 5 to go into the use of force report? 6 A If he witnessed it, sure. I mean the 7 dynamics are so fast sometimes you don't see 8 everything. 9 Q Right. But if he witnessed it, it should 10 go into the report? 11 A If it was witnessed, it probably 12 should've. 13 Q Well, when you mean -- you said probably 14 should've. I just want to make sure that I'm clear 15 on the policy. If he witnesses it, does the policy 16 require him to report on that in his use of force 17 report? 18 A If he witnessed it absolutely. So -- 19 Q Again just generally speaking about use 20 of force reports. Is there a policy or practice 21 for when those are supposed to be filled out? I 22 mean whatever the incident is, is there a policy 23 for, you know, how soon afterwards, when, where, 24 that kind of thing?</p>	<p>24</p> <p>1 to the -- again the incident that's the focus of 2 this case with Mr. Bolton and Officer Ortiz? 3 A Yes. 4 Q At that time the system was to fill out a 5 paper form, is that correct? 6 A That's correct. 7 Q And your testimony is now it's 8 electronic? 9 A Correct. 10 Q Currently, with the electronic system, is 11 there still a requirement to fill out that form 12 before the end of your shift, if at all possible? 13 A Yes. 14 Q Are there computer terminals in the jail 15 to allow officers to do that? 16 A Yes. 17 Q Is there a policy or practice in terms of 18 when during your shift that should be filled out? 19 So, for example, is it the practice usually to wait 20 to the end of your shift to fill out those types of 21 reports? Should it be done as soon as possible 22 after the incident? Is there some of kind of 23 policy or practice in relation to that? 24 A Well, as soon as possible. But there's</p>

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7 (25 to 28)

<p>25</p> <p>1 always extenuating circumstances where it can't be 2 done immediately due to not being able to relieve 3 the officer from their assignment, or maybe the 4 officer was injured and they had to go seek medical 5 attention. So there's -- there's always some leeway 6 with it.</p> <p>7 Q Sure. I mean the officers are there 8 because they're on shift, correct?</p> <p>9 A Correct.</p> <p>10 Q So they obviously have other duties that 11 go along with being on shift?</p> <p>12 A Correct.</p> <p>13 Q So they can't necessarily step away from 14 those duties to fill out a form, is that fair?</p> <p>15 A That's correct.</p> <p>16 Q So if they can be relieved by another 17 officer and they have time to fill out the form 18 immediately thereafter, that's when they'll do it, 19 but if not, it may have to wait to the end of the 20 shift. Is that a fair characterization?</p> <p>21 A Yes.</p> <p>22 Q What about -- you mentioned the witness 23 report earlier. Is it the same sort of requirement 24 in terms of when that gets filled out? Is it to</p>	<p>27</p> <p>1 A Yes.</p> <p>2 Q Would you agree that it's important to 3 provide as much detail as possible when filling out 4 a use of force report?</p> <p>5 A Yes.</p> <p>6 Q Does the -- the jail's policy in relation 7 to filling out use of force reports require that 8 they be filled out accurately and in as much detail 9 as possible?</p> <p>10 A Well, it's in all reports. Yes.</p> <p>11 Q Going back to the training. We talked 12 about the annual -- some of the annual training 13 requirements. Are there any other training 14 requirements beyond what we talked about? I know 15 we focused on the use of force, but I mean beyond 16 the annual refresher training, is there anything 17 else that you can think of?</p> <p>18 A I can't remember what -- because every 19 year it changes for the in-service. So I can't 20 honestly -- or be honest with you and tell you 21 what's -- what it is.</p> <p>22 Q But the annual training, that's for all 23 corrections officers?</p> <p>24 A Yes.</p>
<p>26</p> <p>1 try to fill it out on your shift, if at all 2 possible?</p> <p>3 A Yes.</p> <p>4 Q Going back to the use of force reports. 5 If a corrections officer has to fill out a use of 6 force report, who do they submit that report to?</p> <p>7 A Everything gets turned in to the sergeant 8 who then looks it over, signs off on it as long as 9 it's completed, and then turned over to the watch 10 commander for assessment.</p> <p>11 Q The sergeant would turn it over to the 12 watch commander?</p> <p>13 A Yes.</p> <p>14 Q Is there any kind of requirement -- well, 15 if three officers are involved in a use of force 16 incident and they are -- all three of them are 17 required to fill out a form, is there any 18 requirement that they fill out those forms 19 separately from each other, that they not discuss 20 the incident or anything like that?</p> <p>21 A No. I don't think so.</p> <p>22 Q Would you agree with me that it's 23 important to be accurate in the details that you 24 provide in the use of force report?</p>	<p>28</p> <p>1 Q And that would include sergeants?</p> <p>2 A Yes.</p> <p>3 Q Does it include lieutenants?</p> <p>4 A Yes.</p> <p>5 Q I'm not sure if you can put a number on 6 this, but how many times as a sergeant at Cook 7 County Jail have you had to fill out a use of force 8 report?</p> <p>9 A I can't answer that. I really don't 10 have -- really don't have the number. Weekly, 11 bi-weekly, I really don't know.</p> <p>12 Q When you say weekly, you mean maybe once 13 per week?</p> <p>14 A Yes.</p> <p>15 Q What about as a corrections officer, was 16 it more than when you were -- than as a sergeant or 17 less?</p> <p>18 A If I had to guess, probably less. Because 19 I'm a sergeant, I have a wide area so I respond to 20 more stuff. So -- I'm not really 100-percent sure.</p> <p>21 Q Sure. I see some questions about the 22 January 17th, 2014 incident involving Mr. Bolton. 23 Where within the jail did that incident occur?</p> <p>24 A Division eight, RTU.</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

8 (29 to 32)

<p>29</p> <p>1 Q What does the RTU stand for, just for the 2 record?</p> <p>3 A Residential Treatment Unit.</p> <p>4 Q What is the Residential Treatment Unit?</p> <p>5 A And I'm not sure if they were housing the 6 type of inmate there at the time, because I don't 7 know when it actually transitioned from general 8 population over. It was females on the fifth floor 9 with mental health status. Males on the fourth 10 floor with mental health status, which would be 11 their -- I'm trying to think of what it is now, 12 intermediate psych, psychiatric. Third floor was 13 the medical wing which was dormitory setting with 14 inmates that had some sort of apparatus, whether it 15 be canes or wheelchairs or things like that, and 16 then the second floor was overflow I believe, 17 general population. Really can't remember exactly 18 back then because it's changed so much throughout 19 the months what was actually housed -- who was 20 actually housed on the second floor.</p> <p>21 Q The incident in question occurred on the 22 second floor?</p> <p>23 A Yes.</p> <p>24 Q This description that you just gave about</p>	<p>31</p> <p>1 Mr. Bolton?</p> <p>2 A I know I was assigned two floors that day, 3 which was the second and I'm not sure if it was the 4 third or fourth floor because there was only two 5 sergeants on duty. So if there's four floors, so we 6 split the duties.</p> <p>7 Q Is that typical to have two sergeants 8 assigned to that division?</p> <p>9 A Yes.</p> <p>10 Q Do you believe as you sit here today 11 where exactly you were on either of those two 12 floors when you were made aware of this incident 13 about Mr. Bolton?</p> <p>14 A No, I do not.</p> <p>15 Q How were you made aware that this 16 incident had occurred?</p> <p>17 A Somebody called on the radio that I needed 18 to report down to the second floor.</p> <p>19 Q When you say that you had to report down 20 to the second floor, does that mean that you were 21 on whatever the other floor was that you were 22 assigned to that day?</p> <p>23 A Yes.</p> <p>24 Q Do you recall what floor that was?</p>
<p>30</p> <p>1 the third floor with the -- or I guess you said was 2 it the fifth floor that you had female inmates?</p> <p>3 A Yes.</p> <p>4 Q Is that a description of the residential 5 treatment unit or is that a description of when it 6 was general population?</p> <p>7 A No, when it turned into the residential 8 treatment. When the building first opened since 9 that's the newest building on the compound, it was 10 just general population at the time, but then they 11 started transitioning into what it was actually 12 designed for which is the residential treatment for 13 mental health.</p> <p>14 Q There would be records indicating what 15 types of inmates were housed on that second floor 16 during that period of time, is that correct?</p> <p>17 A There should be.</p> <p>18 Q When the incident actually occurred or I 19 guess maybe when you were made aware the incident 20 had occurred, where were you within the jail?</p> <p>21 A I was in RTU at the time. I was assigned 22 to RTU.</p> <p>23 Q Do you recall where within the RTU you 24 were when you were made aware of this incident with</p>	<p>32</p> <p>1 A No.</p> <p>2 Q Do you recall who it was that called over 3 the radio that you needed to report to the second 4 floor?</p> <p>5 A No, I do not.</p> <p>6 Q As you sit here today, do you have any 7 recollection how long it took you to get to the 8 second floor once you heard the call over the 9 radio?</p> <p>10 A No, I do not.</p> <p>11 Q If you had to estimate how long it took 12 you to get there could you do that?</p> <p>13 A No. Because it would just be pure 14 speculation at this point.</p> <p>15 Q Okay. Just generally speaking, in terms 16 of your practice as a sergeant, if a call like that 17 goes over the radio, is it your practice to respond 18 right away?</p> <p>19 A If they call me to report in person, yes.</p> <p>20 Q Previous to you being called over the 21 radio to report to the second floor, did you 22 receive -- did anyone contact you directly about 23 Mr. Bolton not wanting to enter his cell because it 24 was under a quarantine?</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

9 (33 to 36)

<p>33</p> <p>1 A No.</p> <p>2 Q Did anyone contact you about just</p> <p>3 Mr. Bolton not wanting to enter a floor for any</p> <p>4 reason previous to you being called down to that</p> <p>5 second floor?</p> <p>6 A No.</p> <p>7 Q So the first time -- fair to say that the</p> <p>8 first time that you were made aware of this</p> <p>9 incident in any capacity was this call that you</p> <p>10 just described, where you were asked to come down</p> <p>11 to report down to the second floor, is that</p> <p>12 correct?</p> <p>13 A That's correct.</p> <p>14 Q Your understanding is that that call</p> <p>15 occurred after the incident with Mr. Bolton, is</p> <p>16 that correct?</p> <p>17 A Yes.</p> <p>18 Q Do you recall when you arrived on the</p> <p>19 second floor where Mr. Bolton was at that time?</p> <p>20 A I know he was in the hallway.</p> <p>21 Q Beyond him being in the hallway, any</p> <p>22 recollection as you sit here today of where</p> <p>23 specifically he was?</p> <p>24 A In front of the tier.</p>	<p>35</p> <p>1 Q The interview that you just mentioned in</p> <p>2 the hallway, is that the video recorded interview</p> <p>3 or is this a separate interview?</p> <p>4 A No, it would be the video recorded</p> <p>5 interview.</p> <p>6 Q Your testimony is that you did that</p> <p>7 interview as soon as you arrived on the scene?</p> <p>8 A Yes.</p> <p>9 Q Did you do that interview with Mr. Bolton</p> <p>10 prior to speaking to any of the corrections</p> <p>11 officers who were on the scene?</p> <p>12 A I don't remember if I talked to them first</p> <p>13 or talked to him first. I don't remember.</p> <p>14 Q Generally speaking, would it have been</p> <p>15 your practice to interview the detainee or inmate</p> <p>16 first before talking to your corrections officers</p> <p>17 or to talk to the corrections officers first before</p> <p>18 doing this on-camera interview?</p> <p>19 A I like to talk to -- or I like to do the</p> <p>20 interview with the detainee or inmate, whatever you</p> <p>21 want to call him, first so this way they don't</p> <p>22 change their story or -- I get it while it's fresh.</p> <p>23 So I like to put it right on camera right away.</p> <p>24 Q But your testimony is that you don't</p>
<p>34</p> <p>1 Q Is that a specific memory that you have</p> <p>2 or are you speculating or --</p> <p>3 A Well, I know he was in the hallway so it</p> <p>4 would be in front of the tier.</p> <p>5 Q Do you recall if he was handcuffed when</p> <p>6 you got to the second floor?</p> <p>7 A I don't remember.</p> <p>8 Q Do you recall if -- or let me ask this</p> <p>9 first. Did Mr. Bolton say anything to you when you</p> <p>10 arrived on the second floor?</p> <p>11 A I don't remember what he said.</p> <p>12 Q Okay. Do you remember him saying</p> <p>13 something?</p> <p>14 A I interviewed him so, yeah, he did say</p> <p>15 something.</p> <p>16 Q When did you interview him?</p> <p>17 A Right after I got on the scene.</p> <p>18 Q So it would have been right there in the</p> <p>19 hallway?</p> <p>20 A Yes.</p> <p>21 Q There was a point in time after this</p> <p>22 incident with Officer Ortiz that Mr. Bolton was</p> <p>23 interviewed on camera, is that correct?</p> <p>24 A That would be correct.</p>	<p>36</p> <p>1 recall as you sit here today whether you spoke to</p> <p>2 the officers first or you did that interview with</p> <p>3 Mr. Bolton first, is that correct?</p> <p>4 A That's correct.</p> <p>5 Q Do you recall what questions you asked</p> <p>6 Mr. Bolton during that interview?</p> <p>7 A No, I do not.</p> <p>8 Q Do you recall what Mr. Bolton said in</p> <p>9 response to your questions?</p> <p>10 A No, I do not.</p> <p>11 Q What camera was used to record that</p> <p>12 video?</p> <p>13 A It would have been the Taser Axon Flex</p> <p>14 camera, which is a body camera.</p> <p>15 Q It would have been your body camera?</p> <p>16 A It would have been -- yes. The camera</p> <p>17 that I signed out that day.</p> <p>18 Q That's the camera associated with the</p> <p>19 Taser, is that correct.</p> <p>20 A Correct.</p> <p>21 Q There's no specific Taser that is</p> <p>22 assigned to you as a sergeant, you just sign one</p> <p>23 out at the beginning of every shift, is that</p> <p>24 correct?</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

10 (37 to 40)

<p>37</p> <p>1 A That's correct.</p> <p>2 Q And at the end of your shift you turn</p> <p>3 that Taser back in?</p> <p>4 A Yes.</p> <p>5 Q And then the next shift you would sign</p> <p>6 out a Taser again, maybe the same one, maybe a</p> <p>7 different one, is that correct?</p> <p>8 A Yes.</p> <p>9 Q Did you speak to the officers that were</p> <p>10 involved in this incident at the scene?</p> <p>11 A I'm sure I did.</p> <p>12 Q As you sit here today, do you recall</p> <p>13 speaking to them?</p> <p>14 A It's been over two years. I don't</p> <p>15 remember talking to them specifically.</p> <p>16 Q But it would have been your practice to</p> <p>17 talk to the officers involved in a use of force</p> <p>18 incident at the scene itself?</p> <p>19 A Maybe not necessarily at the scene, but I</p> <p>20 would have talked to them.</p> <p>21 Q When you arrived at the scene do you</p> <p>22 recall if Officer Ortiz was there?</p> <p>23 A I don't remember if he was or not.</p> <p>24 Q It's fair to say that you don't recall as</p>	<p>39</p> <p>1 sometime.</p> <p>2 Q As you sit here today, do you have any</p> <p>3 recollection of talking to any of those officers</p> <p>4 specifically about this incident, whether it was</p> <p>5 on the scene or afterwards?</p> <p>6 A No.</p> <p>7 Q But it would have been your practice to</p> <p>8 talk to officers involved in a use of force</p> <p>9 incident, is that correct?</p> <p>10 A That's correct.</p> <p>11 Q So fair to say that you likely would have</p> <p>12 talked to them, per your practice, you just don't</p> <p>13 recall as you sit here today?</p> <p>14 A That's correct.</p> <p>15 Q The use of force reports that were</p> <p>16 created as a result of this incident would have</p> <p>17 been turned in to you as the sergeant, is that</p> <p>18 correct?</p> <p>19 A Yes.</p> <p>20 Q Do you recall as you sit here today any</p> <p>21 conversation that you had with Officer Ortiz at any</p> <p>22 time in relation to the incident involving</p> <p>23 Mr. Bolton?</p> <p>24 A No, I do not.</p>
<p>38</p> <p>1 you sit here today any conversation that you may or</p> <p>2 may not have had with Officer Ortiz at the scene</p> <p>3 itself?</p> <p>4 A I don't remember.</p> <p>5 Q If Officer Ortiz had said something to</p> <p>6 you at the scene, you don't have any memory of that</p> <p>7 as you sit here today, is that correct?</p> <p>8 A That's correct.</p> <p>9 Q That would be the same for Officer Ramos?</p> <p>10 A Yes.</p> <p>11 Q And the same answer for Officer Ivory?</p> <p>12 A Yes.</p> <p>13 Q Was Officer Lettiere on the scene as</p> <p>14 well? I'm sorry if I'm not saying that name</p> <p>15 correctly, but --</p> <p>16 A I don't know if he was there or not.</p> <p>17 Q So fair to say if you don't recall if he</p> <p>18 was there, you also don't recall whether you had a</p> <p>19 conversation with Officer Lettiere at the scene?</p> <p>20 A I don't remember.</p> <p>21 Q Do you recall talking to those officers</p> <p>22 at some point after the incident, whether it was on</p> <p>23 the scene or elsewhere?</p> <p>24 A I know I would have talked to them</p>	<p>40</p> <p>1 Q What about as you sit here today, do you</p> <p>2 recall any conversation you had at any time with</p> <p>3 Officer Ramos in relation to the incident with</p> <p>4 Mr. Bolton?</p> <p>5 A No, I do not.</p> <p>6 Q The same question for Officer Ivory?</p> <p>7 A No, I do not.</p> <p>8 Q The same question for Officer Lettiere?</p> <p>9 A No, I do not.</p> <p>10 Q What about with any of your supervisors,</p> <p>11 do you recall whether or not you had any</p> <p>12 conversations with them in relation to this</p> <p>13 incident?</p> <p>14 A I know I would have spoke to the watch</p> <p>15 commander in regards to it. I don't know what</p> <p>16 specifically it would have been, but --</p> <p>17 Q But your practice was to speak to the</p> <p>18 watch commander?</p> <p>19 A Correct.</p> <p>20 Q But as you sit here today, you don't</p> <p>21 recall the conversation that you had with the watch</p> <p>22 commander?</p> <p>23 A That's correct.</p> <p>24 Q But you think you can accurately</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

11 (41 to 44)

<p>41</p> <p>1 represent that you spoke to him at some point about 2 the incident because that was your practice? 3 A Yes. 4 Q In terms of when you arrived on the 5 scene, we talked about that you would've 6 interviewed or that you did the on-camera interview 7 with Mr Bolton. As you sit here today, do you 8 recall any other conversations or actions that you 9 took on the scene in relation to this incident? 10 A I would've sent him for medical attention. 11 Q As sergeant, that would have been your 12 decision to do that? 13 A That's a mandatory requirement any time 14 somebody's involved in an incident, is to get seen 15 by medical staff. 16 Q Do you recall any other actions or 17 conversations that you took as you sit here today 18 in relation to the incident while you were on the 19 scene? 20 A No. 21 Q I'm going to ask you to look at group 22 Exhibit 1, it's starting on page 20 and going 23 through to page 28. If you could just take a 24 minute to review --</p>	<p>43</p> <p>1 it. I'm going to reference the front page, I'm 2 going to look at the dates that the CR number's on 3 there, which is the number that we get from the 4 sheriff's police in regards to the use of force. 5 Q I'm sorry to interrupt you. Just to make 6 sure we're on the same page. What page are you 7 looking at? 8 A I'm sorry. I'm looking at the front page 9 where it says response to resistance use of force 10 form. 11 Q Is that page 20? 12 A This is going to be page 26 that I just 13 pulled up. 14 Q The same thing? 15 A Yes. 16 Q I just want to make sure we're on the 17 same page. Go ahead. We're on page 26? 18 A Right. So I'm going to make sure that all 19 the officer's information is filled out properly, 20 that the subject's information is filled out 21 properly. And then I'm going to look at -- I'm 22 going to stop at that point and I'm going to look at 23 the back page which in this case would be page 27. 24 I'm going to read the narrative that the officer</p>
<p>42</p> <p>1 A Are these numbered? 2 Q Yeah, right done at the bottom here. I'm 3 sorry, I should I have said 0020. Just take a 4 minute to look at those or as much time as you need 5 to look at 20 through 28 and I'll have some 6 questions for you? 7 A Is it okay to take the binder out? 8 Q Yes, absolutely. 9 A Okay. I've looked them over. 10 Q Fair to say that these are the use of 11 force reports that were filled out in relation to 12 the January 17, 2014 incident with Mr. Bolton? 13 A Yes. 14 Q Your signature appears on each of these, 15 is that correct? 16 A Yes. 17 Q As the sergeant -- when you sign off on 18 this as a sergeant, you're signing off that you've 19 reviewed the document, is that correct? 20 A Yes. 21 Q Can you describe for me what the process 22 is in terms of you reviewing these documents before 23 you sign off on them? 24 A I checked for completeness by looking at</p>	<p>44</p> <p>1 wrote and then I'm going to come back to the front 2 page, which would be again back to 26 because it's 3 a bunch of double checking and I'm going to look and 4 see if what they wrote is described in the boxes 5 that they checked. So they put down that the 6 subject was a moving resister, that he pulled away, 7 moved to avoid physical control, create space 8 between officers reaching him and that it was an 9 imminent threat of battery. So, in regards to that, 10 I look at what the risk factors were. They marked 11 off in this one in particular gender, age, physical 12 attributes of the subject and apparent physical 13 ability of the subject. Then I looked at what their 14 responses were. Now, each officer that's involved 15 has their own form so it's -- they're only answering 16 what their responses are. So in this case they put 17 diffuse pressure strike or stun and then take down 18 emergency handcuffing, okay. So if everything 19 matched up, make sure the officer signed off on it 20 and then I would sign off on it and submit it to the 21 watch commander. 22 Q So this page 26 and 27 that we're looking 23 at, this is the use of force or response to 24 resistance use of force form that was filled out by</p>

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Transcript of SGT. James Ciukaj, Jr.
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12 (45 to 48)

<p>45</p> <p>1 Officer Ivory, is that correct?</p> <p>2 A That's correct.</p> <p>3 Q The portion at the bottom of page 26 that</p> <p>4 says officer's response, your testimony is that the</p> <p>5 boxes that are checked off there relate only to</p> <p>6 that particular officer who's filling out the</p> <p>7 report, that officer's response, correct?</p> <p>8 A It's supposed to be. Yes.</p> <p>9 Q Not the response of any other officer</p> <p>10 involved in that same incident, is that correct?</p> <p>11 A That's correct.</p> <p>12 Q So just to stick with the example of</p> <p>13 Officer Ivory's response to resistance use of force</p> <p>14 form. The diffuse pressure strike stun that he</p> <p>15 checked off, as well as the takedown emergency</p> <p>16 handcuffing that he checked off, those would refer</p> <p>17 to the actions that Officer Ivory took in relation</p> <p>18 to Mr. Bolton, is that correct?</p> <p>19 A It's supposed to. Yes.</p> <p>20 Q Your testimony is that you would compare</p> <p>21 those check boxes to the description that is found</p> <p>22 on page 27 under the narrative to make sure that</p> <p>23 those things match up, is that correct?</p> <p>24 A That's correct.</p>	<p>47</p> <p>1 A Yes.</p> <p>2 Q In terms of Officer Ortiz's response, he</p> <p>3 also checked off diffuse pressure strikes done,</p> <p>4 takedown, emergency handcuffing, is that correct?</p> <p>5 A Yes.</p> <p>6 Q Can you look at page 24. Do you see in</p> <p>7 the narrative on page 24 where Officer Ortiz wrote</p> <p>8 responding -- does RO stand for responding officer,</p> <p>9 by the way?</p> <p>10 A Reporting officer.</p> <p>11 Q Reporting officer struck inmate with a</p> <p>12 closed fist to the head and face several times. Do</p> <p>13 you see that on the second to last line?</p> <p>14 A Yes.</p> <p>15 Q Does striking an inmate with a closed</p> <p>16 fist fall into the categories of response that were</p> <p>17 checked of by Officer Ortiz, meaning a diffuse</p> <p>18 pressure strike or stun or a takedown emergency</p> <p>19 handcuffing?</p> <p>20 A It would fall underneath the low-level</p> <p>21 assailant for an immediate threat of battery that he</p> <p>22 checked off. But yes, you're correct, he did not</p> <p>23 check off the closed hand strike or punch on the</p> <p>24 assailant low level box.</p>
<p>46</p> <p>1 Q You would have done this same thing for</p> <p>2 each of the use of force reports that are related</p> <p>3 to this incident, is that correct?</p> <p>4 A Yes.</p> <p>5 Q Can you look at page 23 and 24? Is that</p> <p>6 the response to resistance use of force form that</p> <p>7 was completed by Officer Miguel Ortiz?</p> <p>8 A Yes.</p> <p>9 Q You would have reviewed this use of force</p> <p>10 form in the same way that you reviewed Officer</p> <p>11 Ivory's, that we just went through, is that</p> <p>12 correct?</p> <p>13 A Yes.</p> <p>14 Q Looking at page 23, Officer Ortiz checked</p> <p>15 in terms of the subject's actions, checked off the</p> <p>16 same boxes that were checked off by Officer Ivory,</p> <p>17 is that correct, meaning pull away, subject moves</p> <p>18 to avoid control by officer, and then creates space</p> <p>19 between the officer's reach and self, is that</p> <p>20 correct?</p> <p>21 A Yes.</p> <p>22 Q And Officer Ortiz also checked off, just</p> <p>23 as Officer Ivory did, immanent threat of battery,</p> <p>24 is that correct?</p>	<p>48</p> <p>1 Q Per the description of or per the</p> <p>2 description provided here by Officer Ortiz, fair to</p> <p>3 say he should have checked off that box, closed</p> <p>4 hand strike punch, is that correct?</p> <p>5 A That's correct.</p> <p>6 Q Also fair to say that you signed off on</p> <p>7 this as being complete and accurate, you were in</p> <p>8 error when you did that, is that correct?</p> <p>9 A Yes, that would be correct.</p> <p>10 Q Because Officer Ortiz again should have</p> <p>11 checked off closed hand strike or punch as the</p> <p>12 response that he had to this incident, is that</p> <p>13 correct?</p> <p>14 A Yes.</p> <p>15 Q If we go back to page 20 and 21. This is</p> <p>16 the use or the response to resistance use of force</p> <p>17 form that was created by Officer Ramos, is that</p> <p>18 correct?</p> <p>19 A Yes.</p> <p>20 Q You would have reviewed this form in the</p> <p>21 same way that you reviewed Officer Ivory's that we</p> <p>22 went through previously, is that correct?</p> <p>23 A Yes.</p> <p>24 Q I mean you would have matched up the</p>

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13 (49 to 52)

<p>49</p> <p>1 boxes that they checked off the first page of the 2 report with their narrative on the second page, is 3 that correct?</p> <p>4 A Correct.</p> <p>5 Q Looking at page 21. Does Officer Ramos 6 include any description in his narrative of the 7 punches that were delivered to Mr. Bolton by 8 Officer Ortiz?</p> <p>9 A No.</p> <p>10 Q Fair to say that per the jail's policy, 11 he should have included a description of that, 12 Officer Ortiz's punches onto Mr. Bolton?</p> <p>13 A It would be speculation. I don't know if 14 he saw it. So if he saw it, yes, but right now it's 15 speculation. I don't know what Officer Ramos had 16 saw.</p> <p>17 Q But your testimony as you sit here today 18 is that if he witnessed Officer Ortiz strike 19 Mr. Bolton, that he should have included that in 20 his narrative on this response to resistance use of 21 force form, is that correct, if he witnessed it?</p> <p>22 A Correct.</p> <p>23 Q And if he witnessed it and he did not 24 include it in his narrative, that would have been</p>	<p>51</p> <p>1 Q That's why I was asking about 2 officer -- I apologize. I probably didn't ask the 3 question correctly.</p> <p>4 A Well, no, actually you asked me if he put 5 it in here. And if he didn't see it then, no, it 6 would not be in here. So, you know, I can't 7 speculate what they saw. I can only go by what they 8 memorialized and wrote on paper right now.</p> <p>9 Q Sure. But just to be clear, again I 10 think it was because I didn't ask the question 11 correctly. But if Officer Ivory never struck 12 Mr. Bolton with a closed fist, he was under no 13 obligation to indicate on this form, to check out 14 closed punch, hand strike punch, is that correct?</p> <p>15 A That's correct.</p> <p>16 Q Because that was not his response?</p> <p>17 A That's correct.</p> <p>18 Q Okay. I understand your testimony is 19 that if he did not witness Officer Ortiz punching 20 Mr. Bolton, he would not have to include that in 21 his narrative, correct?</p> <p>22 A That's correct.</p> <p>23 Q Because the narrative is only for what 24 that particular officer witnessed?</p>
<p>50</p> <p>1 a violation of the jail's policy, is that correct?</p> <p>2 A Correct.</p> <p>3 Q If we go to page 26 and 27, the response 4 to resistance use of force form for Officer Ivory 5 that we went through a couple of minutes ago, 6 looking at page 27. Does Officer Ivory include in 7 his narrative any description of the strikes that 8 were delivered to Mr. Bolton by Officer Ortiz?</p> <p>9 A No.</p> <p>10 Q And just to be clear. Again because 11 Officer Ivory did not strike Mr. Bolton with a 12 closed fist, he had no -- he was under no 13 requirement for checking off closed hand strike 14 punch on his own use of force report form, is that 15 correct?</p> <p>16 A Maybe he didn't see it. I don't know, 17 it's speculation at this point.</p> <p>18 Q So maybe I was assuming -- I was assuming 19 too much. Going back to Officer Ramos. If he had 20 scene Officer Ortiz punching Mr. Bolton, was he 21 required to check off on his use of force report 22 closed hand strike punch?</p> <p>23 A No. Because he did not do that closed 24 hand strike punch.</p>	<p>52</p> <p>1 A That's correct.</p> <p>2 Q But similar -- the same question as I 3 asked you about Officer Ramos. If Officer Ivory 4 witnessed Officer Ortiz punching Mr. Bolton and he 5 did not include that information in his narrative, 6 that would be a violation of the jail's policy, 7 correct, again, if he witnessed it?</p> <p>8 A If he witnessed it, sure.</p> <p>9 Q When you review these forms -- well, let 10 me ask this first just to be clear. You were not 11 on the scene when this incident with Mr. Bolton 12 occurred, correct?</p> <p>13 A That's correct.</p> <p>14 Q So when you review these forms, you don't 15 know one way or another what each of the particular 16 officers witnessed, is that correct?</p> <p>17 A That's correct.</p> <p>18 Q When you review these forms do you speak 19 to the officers at all while you're reviewing them?</p> <p>20 A Not while I'm reviewing them.</p> <p>21 Q Do you recall when you reviewed Officer 22 Ortiz's form in this case? I know again it's going 23 back a couple of years. As you sit here today, do 24 you recall reviewing that form?</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

14 (53 to 56)

<p>53</p> <p>1 A It would have been the time I signed off 2 on it. So, for Ortiz, it would have been at 11:49 3 at night. 4 Q Sure, but I guess I'm asking a different 5 question. Do you recall as you sit here today, do 6 you have an actual memory of reviewing that form? 7 A No. 8 Q If we go back to -- I'm not sure. What 9 page are you on there? 10 A Ortiz's here. 11 Q Let's look at Officer Ivory's, page 26 12 and 27. You mentioned earlier when we first went 13 through this form that you talked about the risk 14 factors that were checked off. Do you remember 15 giving that testimony? 16 A Yes. 17 Q The risk factors were gender, age, 18 physical attributes of subject, and then apparent 19 physical ability of subject, correct? 20 A Correct. 21 Q Do you take any steps when you review 22 these forms to determine whether or not those risk 23 factors are accurate? 24 A No, I do not.</p>	<p>55</p> <p>1 Q Is it fair to say a lot of them? 2 A Yes. 3 Q As you sit here today, can you recall any 4 use of force report that you reviewed that did not 5 indicate as a use -- as a risk factor the apparent 6 physical ability of the subject? 7 A I couldn't tell you. I don't know. 8 Q What about as you sit here today, can you 9 recall any use of force report that you reviewed 10 that did not indicate the gender, age, or physical 11 attributes of the subject as a risk factor on a use 12 of force report? 13 A I can't tell you that. I don't know. 14 Q The incident between Officer Ortiz and 15 Mr. Bolton was captured on video at the jail, is 16 that correct? 17 A Yes. 18 Q Did you ever review that video? 19 A I would have reviewed it that night with 20 the watch commander because I don't have access for 21 a playback. 22 Q When you reviewed that video with the 23 watch commander, would that have been before or 24 after you reviewed and signed off on these use of</p>
<p>54</p> <p>1 Q You're depending on your officers being 2 truthful in their filling out of these forms, 3 correct? 4 A That's correct. 5 Q So if your officers tell you that they 6 thought that the person was a physical threat, 7 you're not doing anything to double check on that, 8 you just believe they'd be telling the truth on 9 that, correct? 10 A Yes. 11 Q And as a sergeant, if you're not on the 12 scene, you have to depend on your officers to 13 provide you with accurate information, correct? 14 A Yes. 15 Q Do you know what factors are taken into 16 consideration when determining whether or not to 17 check off we'll stick with the apparent physical 18 ability of subject. Are there certain factors that 19 are taken into consideration when determining 20 whether or not that's one of the risk factors? 21 A It's up to the individual person. 22 Q As a sergeant, how many use of force 23 reports have you reviewed? 24 A I can't give you a number.</p>	<p>56</p> <p>1 force reports? 2 A Before. 3 Q You would have reviewed the video 4 beforehand? 5 A Yes. 6 Q Can you describe to me what that video 7 portrays in terms of this incident, as you sit here 8 today what your memory of that video is? 9 A I cannot. I have not seen it since that 10 night. 11 Q Let me ask you this. If the video showed 12 clearly that Officer Ivory had witnessed Officer 13 Ortiz striking Mr. Bolton, but his use of force 14 report did not include that description in the 15 narrative and you signed off on that, would that 16 have been a violation of the jail's policy. 17 MR. COYNE: Speculation. 18 MS. MCGRATH: Objection, vague. Calls for 19 speculation. 20 THE WITNESS: I'm not going to answer that 21 one because I don't know what Ivory or any of 22 the officers saw. 23 BY MR. FIELD: 24 Q Sure. I'm asking you -- this a</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

15 (57 to 60)

<p>57</p> <p>1 hypothetical so I'm asking you to assume that 2 Officer Ivory witnessed Officer Ortiz striking 3 Mr. Bolton. If that information was not included 4 in his use of force report and you signed off on 5 that, would that have been a violation of the 6 jail's policies? 7 MS. MCGRATH: The same objection. 8 THE WITNESS: Yeah, I'm not going to 9 answer anything, assumption or speculation, in 10 regards to that. I'm sorry. I don't know. 11 All I can go by is what's on the report. This 12 is over two years old. 13 BY MR. FIELD: 14 Q Sure. 15 A So you're trying to pick my mind and it's 16 just not working. 17 Q I understand that and I'm not asking you 18 to respond based on your memory. I'm asking to you 19 to assume some facts to be true and based on those 20 facts and your long history as a corrections 21 officer and as a sergeant, whether or not my 22 conclusion from those facts is accurate. So, I'll 23 ask again. If Officer Ivory had witnessed Officer 24 Ortiz striking Mr. Bolton, but when he filled out</p>	<p>59</p> <p>1 the sake of my question what I'm telling you is 2 accurate. Is there some reason why you can't 3 answer based on these hypothetical facts? I mean 4 you spent -- you've been a sergeant since 2011. 5 I'm assuming that you got the knowledge of the 6 policies to answer the question, correct? 7 A But we're -- this is not what we're here 8 for in regards to this stuff. So it's a 9 hypothetical -- 10 Q Sure. 11 A So can we move on? 12 Q I need you to answer my question. 13 There's only a couple of reasons why you can't 14 answer a question. One of them is if the answer is 15 privileged and the other one is if it will 16 incriminate you. And since neither of those things 17 are true, I need you to provide an answered before 18 we can move on? 19 A Well, my counselor already objected to it. 20 MS. MCGRATH: And the objection's been 21 stated on the record. I'm really not sure, I 22 mean this is -- I'm not sure. What is the 23 point of just let's play games and speculate 24 about stuff.</p>
<p>58</p> <p>1 his use of force report he did not include a 2 description of Officer Ortiz striking Mr. Bolton 3 and you signed off on that report, would you 4 signing off on that report have been a violation of 5 the jail's policies -- 6 A Still it's assumption. I'm not -- 7 Q Again assuming all those things -- 8 A I'm not going to answer assumptions 9 because it's not a factual. That's not what we're 10 here for. 11 Q I understand. The deposition is a little 12 bit different than just having to answer questions 13 based on facts. So it's -- if you have some other 14 reason for not -- 15 A Well, no. You're asking me for an 16 assumption so I'm not going to assume. It's yes or 17 no, facts. I'm not going to answer assumptions. We 18 can play what ifs and assumptions all day long. 19 That's not what happened. 20 Q Well, you're saying -- I'm asking you the 21 hypothetical. You're saying you don't know what 22 happened? 23 A I don't know what happened. 24 Q Okay. So I'm asking you to assume for</p>	<p>60</p> <p>1 MR. FIELD: But that's fine. Are you 2 telling your client not to answer? 3 MS. MCGRATH: I'm not telling him not to 4 answer. But I'm just saying can we just 5 do -- this is kind of pointless. Can we just 6 move on? 7 MR. FIELD: Once I get an answer to the 8 question we can move on. 9 THE WITNESS: I've already given you my 10 answer, sir. 11 BY MR. FIELD: 12 Q But you have not answered the question. 13 You just said you're not willing to answer, but 14 that's not how a deposition works. 15 A I've given you my answer. 16 Q Again there's only two reasons why you 17 can refuse to answer a question, okay, and if you 18 want me to create a hypothetical that goes away 19 from any specific officer and any specific incident 20 I can do that, the question is going to be the 21 same. I'm asking you a general question. I 22 understand that you do not have specific knowledge 23 related to this incident, so let me ask it in a 24 different way and maybe we can get an answer that</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

16 (61 to 64)

<p>61</p> <p>1 way. If Officer B has witnessed Officer A striking 2 a detainee and when Officer B fills out his use of 3 force report he does not include in his narrative 4 that Officer A struck the detainee. If a sergeant 5 signs off on that report, knowing that the officer 6 witnessed this, would that signing off on the 7 report be a violation of the jail's policy? 8 MS. MCGRATH: Objection. Calls for 9 speculation. 10 THE WITNESS: If the sergeant had 11 knowledge of it, yes. 12 BY MR. FIELD: 13 Q I think you gave an answer to this 14 already, but I just want to be clear. After the 15 night of the incident, at no point after that did 16 you review the video again, is that correct? 17 A That's correct. 18 Q You reviewed the video that evening with 19 the watch commander? 20 A That's correct. 21 Q Do you recall who the watch commander was 22 on that day? 23 A That would have been Cmdr. Pan. 24 Q Can you to look at page 143 of that same</p>	<p>63</p> <p>1 recollection as you sit here today as to when you 2 reviewed the video related to the incident with 3 Mr. Bolton? 4 A No, it does not. 5 Q Your testimony is, as you sit here today, 6 is that you reviewed the video that -- the same 7 evening as the incident with the watch commander, 8 is that correct? 9 A Yes. 10 Q I think this is the second to last 11 sentence, it says deputy sergeant did have the 12 ability sometime thereafter to review the tapes, to 13 which he stated that he stands by his assessments 14 he made relevant to incident and then it's got the 15 incident number. The portion stands by his 16 assessment, as you sit here today do you have any 17 idea what that refers to? 18 A No, I do not. 19 Q Beyond signing off on the use of force 20 reports, were you required as a sergeant to do any 21 other assessments of the incident? 22 A Other than the interview with Mr. Bolton, 23 no. Turn it over to the watch commander. 24 Q So you reviewed the use of force reports,</p>
<p>62</p> <p>1 packet? 2 A Sure. 3 Q Take as much time as you need to look it 4 over. I just have a couple questions. 5 A Okay. 6 Q Does this document that you just 7 reviewed -- well, first of all, this is a Cook 8 County Sheriff's Office, Office of Professional 9 Review case notes, correct? 10 A Yes. 11 Q That document indicates that it is. This 12 document relates to an interview of yourself done 13 by an OPR inspector or investigator, is that 14 correct? 15 A Yes. 16 Q On that first line it says R slash 17 inspect. Is that reporting inspector? 18 A Yes. 19 Q In that interview -- when it says DS and 20 then it has your last name, what does the DS stand 21 for? 22 A Deputy sergeant. 23 Q Deputy sergeant, okay. Does this -- your 24 review of this document, does it refresh your</p>	<p>64</p> <p>1 correct? 2 A Yes. 3 Q You signed off on those at some point, 4 correct? 5 A Correct. 6 Q Your testimony is, as you sit here today, 7 is that you signed off on those after you reviewed 8 the video with the watch commander, correct? 9 A That's correct. 10 Q Did you do any -- in relation to 11 your -- to this incident, did you take any other 12 steps in terms of investigating it or anything else 13 beyond what we've just gone through? 14 A I'm not authorized to do any 15 investigation, that's what OPR is supposed to do. 16 The only thing that did happen afterwards was a 17 request for training was put in for Officer Ortiz, 18 remedial training request, and all three officers 19 were given employee discipline that night. 20 Q Who's decision is it to give the 21 employees discipline? 22 A The commander told me to do it and I 23 wrote -- I did the employee discipline. 24 Q The command came from the watch</p>

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Transcript of SGT. James Ciukaj, Jr.
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17 (65 to 68)

<p>65</p> <p>1 commander?</p> <p>2 A That's correct.</p> <p>3 Q That would have been watch Cmdr. Pan?</p> <p>4 A Yes.</p> <p>5 Q What about the direction that Officer</p> <p>6 Ortiz get remedial training, who did that come</p> <p>7 from?</p> <p>8 A That was from me.</p> <p>9 Q That was from you?</p> <p>10 A Yes.</p> <p>11 Q As the sergeant, you have the authority</p> <p>12 to determine whether or not a corrections officer</p> <p>13 under you requires remedial training?</p> <p>14 A Yes. It's a request form that's filled</p> <p>15 out and it's sent in with the packet.</p> <p>16 Q Understood. And then the individual</p> <p>17 responsible for reviewing the packet will make the</p> <p>18 decision on whether or not Officer Ortiz gets</p> <p>19 remedial training, is that correct?</p> <p>20 A I believe so, yes.</p> <p>21 Q But the decision on filling out the</p> <p>22 form to request that kind of -- that training</p> <p>23 came -- would come from the sergeant?</p> <p>24 A That's correct.</p>	<p>67</p> <p>1 A I wasn't made aware of that.</p> <p>2 Q So as you sit here today, you were under</p> <p>3 the belief that there should be video of this</p> <p>4 interview that you did with Mr. Bolton, is that</p> <p>5 correct?</p> <p>6 A Yes.</p> <p>7 Q And no one at any point made you aware</p> <p>8 that the video camera, for whatever reason, didn't</p> <p>9 operate properly and no video was recorded, is that</p> <p>10 correct?</p> <p>11 A That's correct.</p> <p>12 Q Did you ever review the video of your</p> <p>13 interview with Mr. Bolton?</p> <p>14 A No. I do not have access to that.</p> <p>15 Q Who's responsible for reviewing that</p> <p>16 video?</p> <p>17 A Well, it gets submitted to the video</p> <p>18 monitoring unit and I don't know who monitors it</p> <p>19 from there.</p> <p>20 Q Can you look at page -- on that same</p> <p>21 packet, page 34?</p> <p>22 A Thirty-four.</p> <p>23 Q This is an incident report, correct?</p> <p>24 A Yes.</p>
<p>66</p> <p>1 Q Or the immediate -- whoever the immediate</p> <p>2 supervisor --</p> <p>3 A The immediate supervisor, yes.</p> <p>4 Q And for this incident you were the</p> <p>5 immediate supervisor?</p> <p>6 A That's correct.</p> <p>7 Q I'm sorry, I went through the list of</p> <p>8 things that you did in relation to this incident.</p> <p>9 One of the other things that you did was talk to</p> <p>10 officers at some point, I believe that was your</p> <p>11 testimony, is that correct? You can't recall the</p> <p>12 details of those conversations, but you believe</p> <p>13 that you would have talked to the officers?</p> <p>14 A Yes.</p> <p>15 Q And again I understand your answers are</p> <p>16 based on what you remember as you sit here today,</p> <p>17 more than two years later. So obviously if you</p> <p>18 think of something else, just feel free to say so.</p> <p>19 The video interview that you did of Mr. Bolton</p> <p>20 after the incident of the Taser camera, that video</p> <p>21 didn't record or something -- there's a document</p> <p>22 that indicates that there was no video of the</p> <p>23 actual interview. Do you know what I'm referring</p> <p>24 to?</p>	<p>68</p> <p>1 Q This is related to the same incident with</p> <p>2 Mr. Bolton and Officer Ortiz, correct?</p> <p>3 A Correct.</p> <p>4 Q This is a document that gets filled out</p> <p>5 electronically?</p> <p>6 A Yes.</p> <p>7 Q Where it says reporting officer and it</p> <p>8 has R Ramos, do you see that up at the top?</p> <p>9 A Yes.</p> <p>10 Q Is that -- does that indicate the</p> <p>11 individual who would have inputted this</p> <p>12 information?</p> <p>13 A The initial report, yes.</p> <p>14 Q So this was not a report that you</p> <p>15 created, is that correct?</p> <p>16 A That's correct.</p> <p>17 Q This would have been created by Officer</p> <p>18 Ramos?</p> <p>19 A Yes.</p> <p>20 Q Is this something that you -- similar to</p> <p>21 the use of force reports that you as a sergeant</p> <p>22 have to review?</p> <p>23 A Yes. I would have reviewed it and then</p> <p>24 submit it to the watch commander.</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

18 (69 to 72)

<p>69</p> <p>1 Q Just generally speaking, when is this 2 type of report filled out? I guess what I'm mostly 3 wondering is, you know, the difference between an 4 incident report and the sort of use of force 5 reports that we've already gone through. So we 6 know that Officer Ramos filled out a use of force 7 report. I'm interested in -- is just an incident 8 report is created for any incident in the jail and 9 then if it's a use of force, there's also a use of 10 force report? I'm just trying to figure out -- 11 A Yes. All incident reports are generated 12 on -- well, now it's a newer system. This is an old 13 system. But any type of incident that occurs that's 14 a reportable incident is done on an incident report 15 and then a use of force would supplement the actual 16 incident report. 17 Q So it's possible, in other words, to have 18 an incident -- a reportable incident that's not a 19 use of force incident, is that correct? 20 A Yes. 21 Q So in that case the incident would get 22 filled out, but there would be no use of force 23 report forms, is that correct? 24 A Yes.</p>	<p>71</p> <p>1 Q At any time during the period of time 2 since I think you said 2011 that you were a 3 sergeant, do you recall any incident in which a 4 cell was put under quarantine? 5 A Not to my knowledge. 6 Q Do you as you sit here today have any 7 knowledge of any policy at the jail in relation to 8 cells being placed under quarantine? 9 A Not to -- no, not to my knowledge. 10 Q At any period of time that you were a 11 sergeant at the jail, do you recall any incident in 12 which inmates could not be placed in a certain cell 13 because other inmates in that cell were sick with 14 whatever illness? 15 A No, not to my knowledge. 16 Q Are you aware of any policies in relation 17 to not placing inmates in a cell where other 18 inmates are sick? 19 A That's at Cermak so it wouldn't pertain to 20 us. 21 Q Can you go back to page 34, that incident 22 report? 23 A Sure. 24 Q Is that the page that you're currently</p>
<p>70</p> <p>1 Q Thank you. When you reviewed the 2 incident that evening with Cmdr. Pan, do you recall 3 as you sit here today whether you could observe 4 Officer Ortiz in that video striking Mr. Bolton? 5 A I don't remember. I would have to see the 6 video again. 7 Q As you sit here today, you don't have any 8 recollection of what's on that video, is that 9 correct? 10 A That's correct. 11 Q Can a cell at the jail be placed under 12 quarantine? 13 A I don't -- rephrase that for me. Because 14 I'm not sure what you're trying to -- what you're 15 trying to get at with that one. 16 Q Well, let me ask it this way. Has there 17 ever been a time at the jail where a cell or 18 more than one cell has been under quarantine, 19 meaning that for whatever reason inmates could not 20 be -- inmates or staff members could not go in 21 there because -- whether it was related to some 22 sort of communicable disease or illness or 23 something else? 24 A I don't know.</p>	<p>72</p> <p>1 on? 2 A Yes. 3 Q Under the assessment use of force 4 incident, about one-quarter of the way from the 5 top, the sentence starts said detainee overheard a 6 conversation between Officer Ramos and Ivory. The 7 cell which assigned to detainee was previous used 8 for quarantine and in brackets it says isolation, 9 but was disinfected and ready for general 10 population. Do you see that? 11 A Yes. 12 Q As you sit here today, do you have 13 any -- are you able to tell me what that's 14 referring to? 15 A No. 16 Q You indicated earlier that you would have 17 reviewed this document along with the use of force 18 reports, correct? 19 A That's not fully true on this one. The 20 assessment is not made by myself. The assessment is 21 made by the watch commander. 22 Q So this portion here under assessment 23 would have been filled out by watch Cmdr. Pan? 24 A That's correct.</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

19 (73 to 76)

<p>73</p> <p>1 Q Which portion of this report would have 2 been filled out by Officer Ramos?</p> <p>3 A The incident portion, the top portion.</p> <p>4 Q When you reviewed the incident report, is 5 that the portion that you would have -- that would 6 have been available at that time for you to review?</p> <p>7 A Yes. Just that top portion.</p> <p>8 Q So this assessment was added to the 9 incident report after you -- after you reviewed it, 10 is that correct?</p> <p>11 A That's correct.</p> <p>12 Q Your testimony is that it was -- that 13 assessment was created by watch Cmdr. Pan, is that 14 correct?</p> <p>15 A Yes.</p> <p>16 Q Once Cmdr. Pan adds his assessment to 17 this report, there's no requirement for you as a 18 sergeant to review this?</p> <p>19 A No. No, he outranks me. So chain of 20 command. He's higher on the food chain.</p> <p>21 Q Just generally speaking, not specific to 22 this assessment, this -- where it's referring to 23 cells being quarantined or in isolation, that's not 24 something that you are familiar with based on your</p>	<p>75</p> <p>1 Q So do you see that where it says CO Ramos 2 stated tier 2A housed detainees that were sick and 3 then -- CO stands for corrections officer, correct?</p> <p>4 A Yes.</p> <p>5 Q CO Ramos stated he could not house the 6 detainee in the cell because the cell was not 7 cleaned. Do you see that?</p> <p>8 A Yes.</p> <p>9 Q As you sit here today, do you have any 10 recollection of Officer Ramos informing you of 11 this after the incident itself, informing you that 12 the cell had inmates that were sick and that he 13 could not put Mr. Bolton in that cell?</p> <p>14 A No.</p> <p>15 Q You have no recollection of that?</p> <p>16 A No.</p> <p>17 Q Your testimony earlier was that you have 18 no recollection of any conversation with Officer 19 Ramos, is that correct?</p> <p>20 A That's correct.</p> <p>21 Q Related to this incident obviously?</p> <p>22 A Correct.</p> <p>23 Q So it's possible that he could have 24 provided you that information, but as you sit here</p>
<p>74</p> <p>1 background as a corrections officer and a sergeant 2 at the Cook County Jail, not something that you 3 dealt with before, is that correct?</p> <p>4 A No, that's correct. All isolation as far 5 as I know goes to Cermak.</p> <p>6 Q Can you look at page 135, the same 7 packet. This is an Office of Professional Review 8 witness complainant statement, is that correct?</p> <p>9 A Yes.</p> <p>10 Q This is a statement that was given by 11 Officer Ramos, is that correct? The top paragraph 12 it indicates that they interviewed Officer Ramos?</p> <p>13 A Yes.</p> <p>14 Q That interview was conducted by 15 investigators Montinez and Diaz, correct?</p> <p>16 A That's correct.</p> <p>17 Q In the second paragraph of that -- of the 18 narrative on this page, I believe it's the fourth 19 sentence, CO Ramos stated tier 2A housed detainees 20 that were sick. CO Ramos stated he could not house 21 detainee in the cell because the cell was not 22 cleared. Do you see that?</p> <p>23 A I'm missing it somewhere. I apologize on 24 that. Okay, all right, I have it. I'm sorry.</p>	<p>76</p> <p>1 today you don't have any recollection, one way or 2 the other?</p> <p>3 A That's possible, sure.</p> <p>4 Q Just generally speaking, is this 5 something that you've dealt as either a corrections 6 officer or a sergeant, where a cell housed 7 detainees that were sick and other inmates could 8 not be placed in that cell?</p> <p>9 A No.</p> <p>10 Q Your testimony as you sit here today is 11 that that's something that gets dealt with at 12 Cermak, is that correct?</p> <p>13 A That's correct.</p> <p>14 Q So as you sit here today, you have no 15 knowledge one way or another whether the cell that 16 Officer Ortiz wanted to place Mr. Bolton in was 17 under quarantine, is that correct?</p> <p>18 MS. MCGRATH: Objection to form.</p> <p>19 THE WITNESS: That's correct.</p> <p>20 BY MR. FIELD:</p> <p>21 Q So it may have been under quarantine, it 22 may not, as you sit here today you don't know one 23 way or the other, is that correct?</p> <p>24 A That's correct.</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

20 (77 to 80)

<p>77</p> <p>1 Q Do you have any knowledge as you sit here</p> <p>2 today, again in your role as sergeant, as to</p> <p>3 whether there are any documents at the jail that</p> <p>4 would indicate whether cells were under quarantine</p> <p>5 or not?</p> <p>6 A I don't have that knowledge.</p> <p>7 Q There are cells assignment documents</p> <p>8 though, correct -- strike the question. I'll ask a</p> <p>9 different question. I'm sorry, it was a bad</p> <p>10 question. Are there documents that indicate which</p> <p>11 cells have inmates in them and which do not?</p> <p>12 A On the tier sheets, yes.</p> <p>13 Q Do those tier sheets indicate which</p> <p>14 inmates are housed in which cells?</p> <p>15 A Yes.</p> <p>16 Q So if there was no inmates in a</p> <p>17 particular cell, the their sheet would indicate</p> <p>18 that there was no inmate in that cell, is that</p> <p>19 correct?</p> <p>20 A That's correct.</p> <p>21 Q How often are those tier sheets updated?</p> <p>22 A I don't understand your question on that.</p> <p>23 It's constant -- they're constantly evolving. So</p> <p>24 when people come in, people leave, they're added in.</p>	<p>79</p> <p>1 Q He was the investigator from the Office</p> <p>2 of Professional Review that did that investigation</p> <p>3 of Officer Ortiz, is that correct?</p> <p>4 A I don't know. This is the first time I've</p> <p>5 seen this document.</p> <p>6 Q You've never seen this before?</p> <p>7 A No.</p> <p>8 Q Can you just take a minute to flip</p> <p>9 through it? I'll just have a couple of questions</p> <p>10 for you. I just want to make sure that we're on</p> <p>11 the same page on this.</p> <p>12 A I believe I'm ready.</p> <p>13 Q Your testimony is that this is the first</p> <p>14 time that you've seen this document, is that</p> <p>15 correct?</p> <p>16 A That's correct.</p> <p>17 Q On page 93, you see where the document is</p> <p>18 signed off on by investigator Richard Ellis. Do</p> <p>19 you see that?</p> <p>20 A Yes.</p> <p>21 Q It indicates here that he's from the</p> <p>22 Office of Professional Review?</p> <p>23 A That's correct.</p> <p>24 Q Can you look at page 91? It says sort of</p>
<p>78</p> <p>1 It's all computerized.</p> <p>2 Q Even at that time was it computerized?</p> <p>3 A Yes.</p> <p>4 Q As soon as movement is occurring, those</p> <p>5 changes are being made, it's always basically</p> <p>6 evolving in the system?</p> <p>7 A That's correct.</p> <p>8 Q Accurate track of where everybody is?</p> <p>9 A Have to. That's what we're in the</p> <p>10 business for, is keeping track of our bodies.</p> <p>11 Q Right. Can you look at page 89 of that</p> <p>12 packet -- well, actually it starts on page 88. I'm</p> <p>13 sorry. Actually I guess it starts on page 87 and</p> <p>14 then it runs through page 94, starting with</p> <p>15 synopsis. Do you see that on page 87?</p> <p>16 A Yes.</p> <p>17 Q There's some signatures on page 93.</p> <p>18 This is a synopsis of the investigation of</p> <p>19 Officer Ortiz, is that correct?</p> <p>20 A I'm sorry. Can you repeat that?</p> <p>21 Q Sure. One of the signatures on page 93</p> <p>22 is from an investigator Richard Ellis. Do you see</p> <p>23 that?</p> <p>24 A Yes.</p>	<p>80</p> <p>1 the third bolded title here is interview of</p> <p>2 sergeant -- it's indicating that there was an</p> <p>3 interview of you. Do you see that?</p> <p>4 A Yes.</p> <p>5 Q Do you recall being interviewed by anyone</p> <p>6 from the Office of Professional Review in relation</p> <p>7 to the incident with Officer Ortiz and Mr. Bolton?</p> <p>8 A I do not.</p> <p>9 Q So fair to say that it's possible that</p> <p>10 you were interviewed, but as you sit here today you</p> <p>11 do not recall?</p> <p>12 A That's correct.</p> <p>13 Q Can you look at page 89?</p> <p>14 A Okay.</p> <p>15 Q At the top of the page, it's the third</p> <p>16 line. Can you just -- starting in the</p> <p>17 administrative assessment. Do you see that?</p> <p>18 A Yes.</p> <p>19 Q Can you just review that sentence? I</p> <p>20 just have a question for you in relation to that.</p> <p>21 A Okay.</p> <p>22 Q This indicates that in your</p> <p>23 administrative assessment you documented that the</p> <p>24 cell where they were going to put detainee Bolton</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

21 (81 to 84)

<p>81</p> <p>1 was previously quarantined, but that it had been 2 disinfected and ready for general population. Do 3 you see that? 4 A I do. 5 Q The administrative assessment, as you sit 6 here today do you have knowledge of what's that 7 referring to? 8 A The watch commander's assessment to the 9 incident. 10 Q Is your testimony as you sit here today 11 that is a -- where this indicates that you were the 12 one that documented this, that that's an error? 13 A Yes. 14 Q That should say that the watch commander 15 documented that? 16 A That's correct. 17 Q The assessment that's created by the 18 watch commander, where does he get the information 19 necessarily to fill that out? 20 MS. MCGRATH: Objection. Calls for 21 speculation. 22 THE WITNESS: I'm not sure. 23 BY MR. FIELD: 24 Q Do you have any knowledge as you sit here</p>	<p>83</p> <p>1 A That's correct. 2 Q Your testimony is that it's not one of 3 your duties as sergeant to do that, is that 4 correct? 5 A That's correct. 6 Q Fair to say that it would be somebody in 7 the chain of command above yourself as sergeant? 8 A Yes. 9 Q But you're not sure as you sit here today 10 who that would be? 11 A I'm not sure on that. 12 Q Who is the -- is the watch commander the 13 sort of highest, in terms of the chain of command 14 just at the jail itself? I understand the sheriff 15 is over everybody, but is the watch commander the 16 highest authority in the jail at any given time? 17 A No. That would be the executive director. 18 Q Where does the watch commander fall below 19 the executive director? 20 A Lieutenant or above. So it would be 21 lieutenant, commander, superintendent, assistant 22 director, director, and then first assistant 23 executive director -- I'm sorry, and then the 24 executive director and then chief of staff.</p>
<p>82</p> <p>1 today whether watch Cmdr. Pan spoke to any of the 2 officers in relation to this incident before he 3 filled out that assessment? 4 A I don't remember. 5 Q The Cook County Jail has a use of force 6 early intervention program, correct? 7 A Yes. 8 Q What is your understanding of what that 9 program is? 10 A My understanding would be if you are 11 involved in too many incidents, that you're 12 so-called counseled. I wouldn't say actually 13 counseled, it's nondisciplinary; to put you on 14 notice that you maybe need to take a step back on 15 what's going on. 16 Q Who is responsible in the chain of 17 command for determining whether or not a 18 corrections officer will be placed in this early 19 intervention program? 20 A I'm not sure. I know it's not my 21 responsibility in regards to it so I don't know. 22 Q Fair to say, then, that as a sergeant you 23 have never placed a corrections officer into the 24 early intervention program?</p>	<p>84</p> <p>1 Q Of the positions that you just mentioned, 2 as you sit here today, do you have any knowledge of 3 which members of that hierarchy can place the 4 corrections officer in the early intervention 5 program? 6 A No, I do not. 7 Q You indicated that your understanding of 8 the program is that if you've had too many 9 incidents you may be given some type of -- you said 10 it's not officially counseling, but some kind of 11 counseling, correct? 12 A Yes. 13 Q You said it's nondisciplinary, is that 14 your testimony? 15 A Yes. 16 Q Do you have any knowledge as you sit here 17 today in terms of the number of use of force 18 incidents you have to be involved in before you 19 would be considered for that program? 20 A No, I do not. 21 Q Have you as a corrections officer or 22 sergeant ever been placed in the early intervention 23 program? 24 A Yes, I have.</p>

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Transcript of SGT. James Ciukaj, Jr.
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22 (85 to 88)

<p>85</p> <p>1 Q When was that?</p> <p>2 A About a year ago.</p> <p>3 Q Who placed you in that program?</p> <p>4 A I'm not sure. I was given a notice from</p> <p>5 my commander to report to the use of force review</p> <p>6 unit.</p> <p>7 Q Who was your commander at the time that</p> <p>8 gave you that notice?</p> <p>9 A Cmdr. Tate.</p> <p>10 Q What was his -- was he the watch</p> <p>11 commander?</p> <p>12 A She is -- that's her actual title, is</p> <p>13 commander.</p> <p>14 Q Okay, Cmdr. Tate. And beyond giving you</p> <p>15 this notice to show up to the use of force review</p> <p>16 unit, did Cmdr. Tate have any other role in terms</p> <p>17 of you being made aware of being placed in this</p> <p>18 program?</p> <p>19 A No.</p> <p>20 Q So when you were -- at some point you</p> <p>21 reported to the use of force review unit, correct?</p> <p>22 A That's correct.</p> <p>23 Q What were you informed when you reported</p> <p>24 to the unit?</p>	<p>87</p> <p>1 A Police department, correct.</p> <p>2 Q 1998 to the present, correct?</p> <p>3 A Yes.</p> <p>4 Q So when you reported to the use of force</p> <p>5 review unit, is it possible that you had more than</p> <p>6 a hundred use of force incidents on your record?</p> <p>7 A I couldn't tell you. I don't know.</p> <p>8 Q But your testimony was that it was likely</p> <p>9 more than fifty?</p> <p>10 A It's possible.</p> <p>11 Q In any case, your disciplinary record</p> <p>12 would indicate the exact number, is that correct?</p> <p>13 A It wouldn't have any discipline in regards</p> <p>14 to use of force under my record.</p> <p>15 Q But your employee file will list each</p> <p>16 time that you were involved in a use of force</p> <p>17 incident or am I wrong on that?</p> <p>18 A I don't know what's in my employee file.</p> <p>19 I've never looked at it.</p> <p>20 Q But your testimony is that you've never</p> <p>21 received any discipline in relation to a use of</p> <p>22 force incident, correct?</p> <p>23 A That's correct.</p> <p>24 Q And that you -- I know you're guessing</p>
<p>86</p> <p>1 A They just went over policy again, said</p> <p>2 it's nondisciplinary. Just want to make sure</p> <p>3 everything's okay with me.</p> <p>4 Q At that point in time how many use of</p> <p>5 force incidents did you have in your employee file</p> <p>6 or disciplinary record?</p> <p>7 A I don't know.</p> <p>8 Q More than ten?</p> <p>9 A I'm sure.</p> <p>10 Q More than twenty?</p> <p>11 A I'm sure.</p> <p>12 Q More than fifty?</p> <p>13 A Probably.</p> <p>14 Q Does your disciplinary record -- would</p> <p>15 that include every use of force incident, from</p> <p>16 the time you started at Cook County Jail as a</p> <p>17 corrections officer all the way to the present or</p> <p>18 is it just the period of time that you've been a</p> <p>19 sergeant?</p> <p>20 A No. It would be the whole time.</p> <p>21 Q The whole time, okay. And so that's from</p> <p>22 1993 to the present, is that correct?</p> <p>23 A 1998 with the county.</p> <p>24 Q 1998. I'm sorry. '93 was the --</p>	<p>88</p> <p>1 here. But you estimate you may have been involved</p> <p>2 in as many as fifty use of force incidents, is that</p> <p>3 correct?</p> <p>4 A That's possible. Yes, that's correct.</p> <p>5 Q And again that's going back to 1998 to</p> <p>6 the present?</p> <p>7 A Sure.</p> <p>8 Q So you said -- you testified that you</p> <p>9 showed up at the use of force review unit and they</p> <p>10 met with you. How long was that meeting?</p> <p>11 A About an hour maybe.</p> <p>12 Q Beyond what you've already testified to,</p> <p>13 do you recall what else was said to you at that</p> <p>14 meeting?</p> <p>15 A No, I don't.</p> <p>16 Q After that meeting was there any follow</p> <p>17 up in relation to you being placed in the early</p> <p>18 intervention program?</p> <p>19 A No.</p> <p>20 Q It was just that one meeting?</p> <p>21 A That's correct.</p> <p>22 Q Is that the only time that you've been</p> <p>23 placed in the use of force early intervention</p> <p>24 program?</p>

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Transcript of SGT. James Ciukaj, Jr.
Conducted on March 21, 2017

23 (89 to 92)

<p>89</p> <p>1 A Yes.</p> <p>2 Q I think your testimony was that that</p> <p>3 was -- was that a couple of years ago or a year</p> <p>4 ago?</p> <p>5 A Last year I believe it was.</p> <p>6 Q Thank you. Sorry about that. Was there</p> <p>7 a particular use of force incident that triggered</p> <p>8 you being placed in the program to your knowledge?</p> <p>9 A Not to my knowledge.</p> <p>10 Q Did they review any use of force</p> <p>11 incidents that you had been involved in during your</p> <p>12 meeting with the use of force review unit?</p> <p>13 A I don't remember the specifics.</p> <p>14 Q Just generally speaking, are there</p> <p>15 any circumstances in which it would be</p> <p>16 inappropriate -- in which it would be appropriate</p> <p>17 for a detainee to ask a corrections officer to get</p> <p>18 a sergeant or a lieutenant, just generally</p> <p>19 speaking?</p> <p>20 A That would be inappropriate?</p> <p>21 Q Appropriate?</p> <p>22 A Appropriate? No. They can ask for us all</p> <p>23 the time.</p> <p>24 Q Is there a policy at the jail for what a</p>	<p>91</p> <p>1 you to do that?</p> <p>2 A No, I don't, but I know I did contact OPR.</p> <p>3 Q And that was because you felt that the</p> <p>4 officer involved had used excessive force?</p> <p>5 A Yes.</p> <p>6 Q As you sit here today, you don't recall</p> <p>7 when that was?</p> <p>8 A No, I don't.</p> <p>9 Q Have you ever -- as you sit here today,</p> <p>10 do you have any recollection of ever referring any</p> <p>11 incident involving Officer Ortiz to the Office of</p> <p>12 Professional Review?</p> <p>13 A I don't remember.</p> <p>14 Q Ask you to look at that second packet</p> <p>15 finally?</p> <p>16 MR. COYNE: Exhibit 2.</p> <p>17 MR. FIELD: Yeah, group Exhibit 2.</p> <p>18 BY MR. FIELD:</p> <p>19 Q I'm going to ask you a question</p> <p>20 about -- it starts on page 204, the page number at</p> <p>21 the bottom right-hand corner of the page. This is</p> <p>22 Cook County Illinois Sheriff's Order 11.2.2.0,</p> <p>23 response to resistance use of force duties,</p> <p>24 notifications, and reporting procedures. Do you</p>
<p>90</p> <p>1 corrections officer is supposed to do when an</p> <p>2 inmate requests to speak to a sergeant or a</p> <p>3 lieutenant?</p> <p>4 A Notify us.</p> <p>5 Q To your knowledge do detainees at Cook</p> <p>6 County Jail receive any -- do they get any</p> <p>7 information, any training, any kind of a list of</p> <p>8 regulations that would explain to them when it's</p> <p>9 appropriate to request the presence of a sergeant</p> <p>10 or lieutenant, to your knowledge?</p> <p>11 A I know they get an inmate handbook when</p> <p>12 they come in through intake, but I don't know what's</p> <p>13 inside of it.</p> <p>14 Q As a sergeant, have you ever reviewed a</p> <p>15 use of force report that then prompted you to</p> <p>16 contact the OPR?</p> <p>17 A Yes.</p> <p>18 Q How often has that occurred?</p> <p>19 A I don't know.</p> <p>20 Q When was the last time that that</p> <p>21 occurred?</p> <p>22 A It's been a while. I don't have a</p> <p>23 specific time.</p> <p>24 Q Do you recall the incident that prompted</p>	<p>92</p> <p>1 see that?</p> <p>2 A Yes.</p> <p>3 Q This is a policy that you're familiar</p> <p>4 with, correct?</p> <p>5 A Yes.</p> <p>6 Q The policy that we talked about at the</p> <p>7 beginning of this deposition that gets reviewed on</p> <p>8 an annual basis, is this that policy?</p> <p>9 A Yes.</p> <p>10 Q Can you turn to page 210. Letter C says</p> <p>11 a supervisor who has been notified of a response to</p> <p>12 resistance use of force incident must and then</p> <p>13 number one reads, responds to the scene of the</p> <p>14 incident and conduct a thorough inquiry into the</p> <p>15 circumstance surrounding the response to resistance</p> <p>16 and a justification for the officer's actions. Do</p> <p>17 you see that?</p> <p>18 A Yes.</p> <p>19 Q For the incident that's at issue here,</p> <p>20 the incident with Officer Ortiz and Mr. Bolton, you</p> <p>21 were the supervisor, correct?</p> <p>22 A Yes.</p> <p>23 Q When you were made -- or when you were</p> <p>24 notified of the use of force you responded to the</p>

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Transcript of SGT. James Ciukaj, Jr.
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24 (93 to 96)

<p>93</p> <p>1 scene, correct?</p> <p>2 A I wasn't notified of the use of force</p> <p>3 until I got to the scene. They just asked me to</p> <p>4 come to the floor.</p> <p>5 Q When you got to the scene you were</p> <p>6 notified of the use of force, correct?</p> <p>7 A Correct.</p> <p>8 Q Now, here where it says conduct a</p> <p>9 thorough inquiry into the circumstances surrounding</p> <p>10 the response to resistance and the justification</p> <p>11 for the officer's actions. We talked about how you</p> <p>12 interviewed Mr. Bolton and your review of the use</p> <p>13 of force reports?</p> <p>14 A Correct.</p> <p>15 Q And potentially speaking with the</p> <p>16 officers involved. As you sit here today, you do</p> <p>17 not recall one way or the other whether you did.</p> <p>18 Beyond those three things, as you sit here today,</p> <p>19 do you have a memory of any other action that you</p> <p>20 took in terms of conducting a thorough inquiry into</p> <p>21 the circumstance surrounding the response to</p> <p>22 resistance and the justification for the officer's</p> <p>23 actions?</p> <p>24 MS. MCGRATH: Objection. Misstates</p>	<p>95</p> <p>1 officers were given?</p> <p>2 A I believe it was failure to notify the</p> <p>3 supervisor before using force on an individual.</p> <p>4 Q Can you explain what that is and then</p> <p>5 why -- yeah, let's start with can you explain what</p> <p>6 that is exactly? Why would someone be given</p> <p>7 discipline for that?</p> <p>8 A Because the inmate detainee asked for a</p> <p>9 supervisor and the supervisor wasn't notified and it</p> <p>10 was at the recommendation of the watch commander</p> <p>11 that that's the disciplinary action that be taken,</p> <p>12 because we should have been notified first. It</p> <p>13 could have possibly been prevented. Possibly, I</p> <p>14 don't know. I wasn't there so I can't answer that.</p> <p>15 Q But the discipline was decided on by the</p> <p>16 watch commander, correct?</p> <p>17 A That's correct.</p> <p>18 Q Then you were the one as the sergeant to</p> <p>19 issue that discipline?</p> <p>20 A That's correct.</p> <p>21 Q As you sit here today, your understanding</p> <p>22 of why watch Cmdr. Pan decided to give that</p> <p>23 discipline is because Mr. Bolton requested a</p> <p>24 supervisor and before you were notified of that</p>
<p>94</p> <p>1 previous testimony.</p> <p>2 THE WITNESS: Right, I've already answered</p> <p>3 that. I found that the officer -- or we</p> <p>4 disciplined the officers by employee discipline</p> <p>5 and I sent a remedial training form out for</p> <p>6 Officer Ortiz. So obviously that's part of my</p> <p>7 inquiry into the use of force, so I did what I</p> <p>8 was supposed to do in that regards.</p> <p>9 BY MR. FIELD:</p> <p>10 Q I mean it's not particularly clear here</p> <p>11 in terms of what an inquiry consists of so I'm more</p> <p>12 just interested in the steps that you would take as</p> <p>13 a sergeant. I'm using the incident at issue here</p> <p>14 only because that's the example that we have.</p> <p>15 A Sure.</p> <p>16 Q You know, for some of these other things</p> <p>17 it gives it sort of an A, B, C, D, E, of what</p> <p>18 you're supposed to do, but this one doesn't. So I</p> <p>19 just wanted to understand what that inquiry would</p> <p>20 look like. You indicated that the officers</p> <p>21 involved were disciplined, correct, or they were</p> <p>22 given discipline?</p> <p>23 A That's correct.</p> <p>24 Q What was the discipline that those</p>	<p>96</p> <p>1 request there was a use of force, is that correct?</p> <p>2 A Yes.</p> <p>3 Q Can you look at page 209? It's the same</p> <p>4 policy I previously asked you about, the response</p> <p>5 to resistance use of force, duties, notifications,</p> <p>6 and reporting procedures.</p> <p>7 A Okay.</p> <p>8 Q On that page number three and this is</p> <p>9 under letter B on page 208, which is the officer</p> <p>10 involved in the use of force incident, whether on</p> <p>11 duty or off duty, must perform the following.</p> <p>12 Number three says, and again this is on page 209,</p> <p>13 after completing his/her duties and after providing</p> <p>14 sufficient information, the officer must remain</p> <p>15 separated from other involved persons or witness</p> <p>16 officers and may not discuss the incident with</p> <p>17 anyone other than the immediate supervisor,</p> <p>18 assigned investigators, and the employee's</p> <p>19 representative. Do you see that?</p> <p>20 A Yes.</p> <p>21 Q I asked you a question earlier on in the</p> <p>22 deposition about whether corrections officers were</p> <p>23 required to fill out those use of force reports</p> <p>24 separate from each other. Do you remember that</p>

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25 (97 to 100)

<p>97</p> <p>1 question?</p> <p>2 A Yes.</p> <p>3 Q Based on what I just read here, number</p> <p>4 three on page 209, would you agree with me that in</p> <p>5 the filling out of this report the officers remain</p> <p>6 separate from each other?</p> <p>7 A Yes.</p> <p>8 MR. FIELD: Let's go off the record for a</p> <p>9 second.</p> <p>10 (Off record.)</p> <p>11 MR. FIELD: Back on the record. I don't</p> <p>12 have any other questions. Thank you, Sergeant,</p> <p>13 for being here. I appreciate your time.</p> <p>14 MR. COYNE: I just have some, Sergeant.</p> <p>15 EXAMINATION</p> <p>16 BY MR. COYNE:</p> <p>17 Q If you'll look at bates 34, the incident</p> <p>18 report?</p> <p>19 A On exhibit one? I'm sorry.</p> <p>20 Q Group exhibit one.</p> <p>21 A Okay.</p> <p>22 Q There's a reference there to a</p> <p>23 psychological evaluation that was provided to</p> <p>24 Mr. Bolton. Do you have any knowledge, one way or</p>	<p>99</p> <p>1 this incident?</p> <p>2 A No, I do not.</p> <p>3 Q Are you aware of anyone -- anyone at all,</p> <p>4 whether or not employed by the Cook County</p> <p>5 Sheriff's Department, making any statements to</p> <p>6 Mr. Bolton, the purpose of which would have caused</p> <p>7 him to delay filing his lawsuit?</p> <p>8 A No, I don't.</p> <p>9 Q Did you have any participation in the</p> <p>10 September 4th, 2014 visit to Mr. Bolton's home?</p> <p>11 A Oh, no. No.</p> <p>12 Q I also understand that Mr. Bolton</p> <p>13 participated in a lineup at some point where he</p> <p>14 identified my client, Mr. Ortiz. Do you have any</p> <p>15 direct knowledge -- were you present at the time</p> <p>16 that lineup took place?</p> <p>17 A No, I wasn't.</p> <p>18 Q Do you have any direct knowledge of any,</p> <p>19 quote, unquote coverup made by anyone regarding the</p> <p>20 incident that you've testified to here today?</p> <p>21 A No, I don't.</p> <p>22 Q Are you aware of any efforts made by</p> <p>23 anyone to delay an investigation of the incident</p> <p>24 that Mr. Bolton was involved in?</p>
<p>98</p> <p>1 the other, why he was referred for a psych eval?</p> <p>2 A I'm not sure if he was given a discipline</p> <p>3 report in regards to that. So if that was the case,</p> <p>4 he would have been psychiatric cleared to go into</p> <p>5 the segregation, but I don't know if that's -- if</p> <p>6 that's the case in this -- in this case.</p> <p>7 Q Are you aware of any requests made by</p> <p>8 officer Ortiz or Ramos, Ivory, or anyone else for</p> <p>9 that matter, that he be referred for a psych eval?</p> <p>10 A No.</p> <p>11 Q It wasn't clear from the questions you</p> <p>12 answered, you may have answered this. But did you</p> <p>13 have any contact at all with Mr. Bolton after</p> <p>14 January 17th, 2014?</p> <p>15 A No, I did not.</p> <p>16 Q Are you aware of any efforts taken by</p> <p>17 anyone employed by the Cook County Sheriff's</p> <p>18 Department to cause Mr. Bolton to delay filing the</p> <p>19 lawsuit he filed in this case?</p> <p>20 A No, I do not.</p> <p>21 Q Are you aware of any promises made to</p> <p>22 Mr. Bolton by anyone employed by the Cook County</p> <p>23 Sheriff's Department, that being provided benefits</p> <p>24 in exchange for not filing a lawsuit as result of</p>	<p>100</p> <p>1 A No, I've not.</p> <p>2 Q Do you know of any effort made by any</p> <p>3 person whatsoever to delay or prevent Mr. Bolton</p> <p>4 from filing a lawsuit in this case?</p> <p>5 A No, I do not.</p> <p>6 MR. COYNE: I don't have anything further.</p> <p>7 Thank you, Sergeant.</p> <p>8 MR. FIELD: Just one follow-up question.</p> <p>9 Do you want to go first? I can --</p> <p>10 MS. MCGRATH: No, go ahead and ask your</p> <p>11 follow up.</p> <p>12 REEXAMINATION</p> <p>13 BY MR. FIELD:</p> <p>14 Q The OPR investigation into this incident</p> <p>15 after January 17th, 2014, you were not involved in</p> <p>16 that investigation in any way, is that correct?</p> <p>17 A That's correct.</p> <p>18 MR. FIELD: Nothing else for me.</p> <p>19 MS. MCGRATH: John had the questions I was</p> <p>20 going to ask. Thank you.</p> <p>21 (Concluded at 3:15 p.m.)</p> <p>22</p> <p>23</p> <p>24</p>

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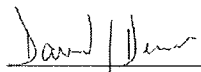
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Conducted on March 21, 2017

26 (101 to 104)

101

C E R T I F I C A T E

1
2 I, DAVID J. DEMSKI, Certified Shorthand
3 Reporter, in and for the County of Cook, State of
4 Illinois, do hereby certify that on the 21st day
5 of March, 2017, the deposition of the witness
6 SGT. JAMES CIUKAJ, JR., called by the defense,
7 was taken before me, reported stenographically
8 and was thereafter reduced to typewriting
9 through computer-aided transcription.
10 The said witness, SGT. JAMES CIUKAJ, JR., was
11 first duly sworn to tell the truth, the whole truth,
12 and nothing but the truth and was examined upon oral
13 interrogatories.
14 I further certify that the foregoing is a true,
15 accurate, and complete record of the questions asked
16 of and answers made by the said witness, at the time
17 and place hereinabove referred to.
18 Witness my official signature as Notary Public,
19 in and for Cook County, Illinois on this 13th day of
20 July 2017.

21
22 

23 David J. Demski
24 CSR# 084-004386

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